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MATT BLUNT

SECRETARY OF STATE

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

Missouri Depository Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Depository Documents Law (section 181.100, RSMo 2000), are available in the listed depository libraries, as selected by the Missouri State Library:

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.



FROM THIS ANGLE....

Thanks to all of you!

The Administrative Rules Division would like to thank you for your attendance and participation in our first rulemaking class held on Thursday, May 31st. We hope you found this first *organizational* meeting interesting and informative, and, we hope you will pass on any additional thoughts or tips you may have to share since our first meeting. We want this *new and improved* Rulemaking Manual to be as helpful and "user friendly" as possible. We appreciate your help and your input and believe through coordinated efforts this *new and improved* manual will soon be a reality.

Delegation of Authority - REMINDER!!!

With the change of administration, please remember we need to have letters on file stating who the Directors are in your Department/Division and, also, please remember to provide us with a written record of the pertinent signature. In the event someone else is authorized to sign for your Director in his or her absence, please provide us with those signatures as well. It is extremely important for us to obtain this information from you to maintain in our files, so that we allow filing of rules on behalf of your agency only by those persons designated to do so by your agency. Thanks in advance for your attention to this request.

Final orders of rulemaking

Just a reminder . . . when filing an order please insert the full text of **all** sections or subsections included in the order, even if you did not change the text as printed in the proposed rulemaking.

"Tip" -- Deleting text in a proposed amendment

Just a tip. In any proposed rulemaking, please be certain that you submit text inside the brackets shown in *Italics* typeface. This will avoid any possible error in reflecting your deleted text. Example: [*In order to remove an item, please remember to utilize Italics inside your brackets. . . .*]

Welcome two new faces!!

We have two new employees in the Administrative Rules Division.

John Stegmann comes to us from Wolfner Library and is our new Composing Equipment Operator I. John began with this division on May 1 and is doing a great job for us!

Sarah Strobel is our new Administrative Aide I and comes to us from the State Library. Sarah will be our backup receptionist and also an additional proofreader. Sarah joined our staff on May 16th and is rapidly learning our process.

We are happy to have both John and Sarah as a part of this division - and know you will want to welcome them when you are in the office to file your rules.

As always, if you have any questions, concerns or problems, or, if we may be of any assistance to you in any way, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynne", written in black ink.

Lynne C. Angle, Director
Administrative Rules Division

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 40—Division of Fire Safety Chapter 5—Elevators

EMERGENCY AMENDMENT

11 CSR 40-5.065 Missouri Minimum Safety Codes for Existing Elevator Equipment. The division is amending subsection (1)(H).

PURPOSE: The purpose of this amendment is to ensure that all elevators and similar equipment regulated under the Missouri Elevator Safety Act in Missouri obtain safety inspections this year.

EMERGENCY STATEMENT: The Division of Fire Safety finds that an immediate danger to the public health, safety and welfare exists. The legislature has found that elevators and similar equipment regulated under the Missouri Elevator Safety Act should be inspected and tested annually to prevent the operation of unsafe equipment. Due to the number of existing elevator installations around the state having been installed during a period of time when no state enforced codes existed, a large number of these installations do not meet the minimum elevator safety standards adopted by the Elevator Safety Board. Existing equipment that does not meet the minimum state standard must apply for a variance. For existing installations, this proposed amendment will provide for a "grandfathering clause" allowing specific conditions to

remain at a status quo and eliminate a timely variance process. Eliminating the need to follow variance procedures and reviews, will allow additional time to be devoted to more immediate safety issues, protecting the public from unsafe situations. The scope of this amendment is limited to the circumstances creating the emergency and complies with the protection extended by the Missouri and United States Constitution. Emergency amendment filed April 30, 2001, effective May 10, 2001, expires November 5, 2001.

(1) The following standards apply to all existing elevator equipment installed prior to the effective date of these rules and regulations as provided in 11 CSR 40-5.060. Any installation which is in compliance with the latest ASME A17.1 version adopted and amended by the Elevator Safety Board, unless as exempted by 701.359, RSMo shall be considered to be in compliance with 11 CSR 40-5.065. The foregoing standards are incorporated by reference in this rule.

(H) Machine Rooms.

1. All means of access to elevator machine rooms shall be of a permanent nature and shall be constructed and maintained in a clear and unobstructed manner.

2. The elevator machine and control equipment shall be located in a separate room or separated space designed as an elevator machine room or space and shall be accessible only to authorized personnel. [from other] Existing machines and equipment [by a substantial grill of not less than six feet (6') high.] essential to the operation and purpose of the building are permitted but must not interfere with the safety and work area for maintaining elevator equipment. Where other existing machines and equipment essential to the operation and purpose of the building are located in the machine room or space, the elevator related equipment and machines shall be separated by a substantial grill constructed of non-combustible material not less than six feet (6') high and [T]he grill shall be of a design that will reject a ball two inches (2") in diameter. All rooms or enclosures shall have a self-closing and self-locking door and shall be operable from the interior space without use of a key. After the effective date of this rule, no equipment shall be added to the machine room or space that is not used in connection with the operation of the elevator.

3. All elevator machine rooms shall be provided with a floor. The floor shall cover the entire area of the machine room and hoistway.

4. Machine room floors shall be kept clean and free of grease and oil. Articles or materials not necessary for the maintenance or operation of the elevator shall not be stored therein. Flammable liquids having a flash point of less than one hundred ten degrees Fahrenheit (110°F) shall not be stored in the machine room.

5. Lighting in the machine room shall be not less than ten (10) foot-candles at floor level.

6. Where there is more than one machine in a room, each machine shall have a different number conspicuously marked on it. The controller, disconnect switch and relay panels for each machine shall be conspicuously numbered to correspond to the machine it controls.

7. All electrical equipment in the machine room shall be grounded which shall conform to ASME A17.1 and NFPA 70 (NEC).

8. All electrical wiring in the machine room and hoistway shall be enclosed in metal conduit, flexible conduit or metal raceways.

9. Each elevator having polyphase alternating current power supply shall be provided with means to prevent the starting of the elevator motor if:

A. The phase rotation is in the wrong direction; or

B. There is a failure of any phase. This protection shall be considered provided in the case generator-field control having alternating current motor-generator driving motors, provided a reversal of phase will not cause the elevator driving-machine motor to operate in the wrong direction. Controllers whose switches are operated by polyphase torque motors provide inherent protection against phase reversal or failure.

AUTHORITY: section 701.355, RSMo [1994] 2000. Original rule filed Aug. 26, 1998, effective July 1, 1999. Amended: Filed Aug. 17, 2000, effective Feb. 28, 2001. Emergency amendment filed April 25, 2001, effective May 10, 2001, expires Nov. 5, 2001. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Title 19—DEPARTMENT OF HEALTH

Division 25—Division of Administration

Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva and Urine Analysis; and Determination for the Presence of Drugs in Blood and Urine

EMERGENCY AMENDMENT

19 CSR 25-30.011 General Provisions for the Determination of Blood, Breath, Saliva or Urine Analysis and Drug Testing. The department proposes to amend sections (1) and (3).

PURPOSE: This amendment is being made to add additional statutes that are covered by this chapter.

EMERGENCY STATEMENT: This emergency amendment will help assure public health and safety by adding additional statutes that are covered by this chapter, thus assuring breath tests pursuant to Missouri State Water Patrol Water Safety Regulations, Sections 306.111–306.119, RSMo for operating a vessel with excessive blood alcohol content will be admissible into evidence during legal proceedings. The department finds an immediate danger to the public health safety and welfare that this amendment alleviates, as it will help prosecute intoxicated vehicle and vessel operators and follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. As a result, Missouri Department of Health finds an immediate danger to the public health, safety and welfare and a compelling governmental interest, which requires emergency action. This amendment complies with the protections extended by the Missouri and United States Constitutions. The scope of this emergency amendment limits itself to adding additional statutes that are covered by this chapter. This emergency amendment was filed on May 10, 2001, effective May 22, 2001 and expires November 17, 2001.

(1) Only those laboratories or persons performing analysis of blood, breath, urine or saliva for the determination of blood alcohol content, or of blood and urine for the presence of drugs—at the direction of a law enforcement officer acting under provisions of sections 577.020–577.039, RSMo and 577.041, RSMo and **306.111–306.119 RSMo**—are subject to the rules of this chapter.

(3) The chemical analysis of a person's blood, breath, urine or saliva conducted under the provisions of 577.020–577.039, RSMo, and 577.041, RSMo, and **306.111–306.119 RSMo**, shall be performed by licensed medical personnel or by personnel possessing a valid permit issued by the department.

AUTHORITY: sections [192.005.2] 192.006, 306.114, 306.117, 577.020, 577.026, 577.029, 577.031, 577.033, 577.039, [RSMo 1986] 577.023, 577.041, [RSMo Supp. 1991] and 577.037, RSMo [1988] 2000. This rule previously filed as 19 CSR 20-30.011. Original rule filed July 15, 1988, effective Sept. 29, 1988. Changed to 19 CSR 25-30.011 January 1, 1995. For intervening history, please consult the Code of State Regulations. Emergency amendment filed May 10, 2001, effective May 22, 2001, expires Nov. 17, 2001. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Title 19—DEPARTMENT OF HEALTH

Division 25—Division of Administration

Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva and Urine Analysis; and Determination for the Presence of Drugs in Blood and Urine

EMERGENCY AMENDMENT

19 CSR 25-30.050 Approved Breath Analyzers. The department proposes to amend section (1) and add a new section (3).

PURPOSE: This amendment is being proposed to approve the Alco-Sensor IV for use with an Intoximeter, Inc. printer in addition to the RBT IV and a new section is being added to assure that breath tests performed on the Alco-Sensor IV/RBT IV prior to this amendment will continue to be considered valid. Also, this amendment removes the Intoxilyzer models 1400 and 5000CD which are no longer in production or in use in the state of Missouri.

EMERGENCY STATEMENT: This amendment is being proposed to approve the Alco-Sensor IV for use with an Intoximeter, Inc. printer in addition to the RBT IV and a new section is being added to assure that breath tests performed on the Alco-Sensor IV/RBT IV prior to this amendment will be considered valid. Also, this amendment removes the Intoxilyzer models 1400 and 5000CD which are no longer in production or in use in the state of Missouri. This emergency amendment will help assure public health and safety by ensuring that breath tests for excessive blood alcohol content performed on the Alco-Sensor IV used with an Intoximeter, Inc. printer in addition to the RBT IV will be admissible into evidence during legal proceedings. This amendment will further ensure that breath tests for excessive blood alcohol content performed on the Alco-Sensor IV/RBT IV prior to the amendment will continue to be valid and admissible in legal proceedings. The department finds an immediate danger to the public health, safety and welfare that this amendment alleviates, as it will help prosecute cases of excessive blood alcohol content and follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. As a result, Missouri Department of Health finds an immediate danger to the public health, safety and welfare and a compelling governmental interest, which requires emergency action. This amendment complies with the protections extended by the Missouri and United States Constitutions. The scope of this emergency amendment limits itself to approving the Alco-Sensor IV for use with an Intoximeter, Inc. printer in addition to the RBT IV. Also, this amendment removes the Intoxilyzer models 1400 and 5000CD that are no longer in production or in use in the state of Missouri. This emergency amendment was filed on May 10, 2001, effective May 22, 2001 and expires November 17, 2001.

(1) Approved breath analyzers are—

NAME OR ITEM	MANUFACTURER
Alco-Sensor IV/[RBT IV] with printer*	Intoximeters, Inc., St. Louis, MO
BAC Verifier and DataMaster	National Patent Analytical Systems, Inc., Mansfield, OH (formerly a subsidiary of National Patent Development Corporation, East Hartford, CT, formerly Verax Sys- tems, Inc., Fairport, NY)
[Intoxilyzer 1400*	CMI/MPH, Opera- tions of MPD, Inc. Owensboro, KY (formerly a sub- sidiary of Federal Signal Corp., Minturn, CO)]
Intoxilyzer, Models 5000 [and 5000 CD]	CMI/MPH, Operations of MPD, Inc., Owensboro, KY (formerly CMI, Inc., a subsidiary of Federal Signal Corp., Minturn, CO)

*The Alco-Sensor IV [RBT IV and Intoxilyzer 1400 are] with printer is approved for use as a bench-top instrument/s/ to be located within buildings or specially equipped trucks or vans specifically used for driving-while-intoxicated enforcement. [These] This instrument/s are/ is not approved for mobile use in cars, boats or outside areas.

(3) Breath tests performed on the Alco-Sensor IV/RBT IV prior to the effective date of this rule shall be considered valid under this rule if such tests were completed in compliance with the rules in effect at the time the test was conducted.

AUTHORITY: sections 192.006, 306.114, 306.117, 577.020, 577.037, 577.039, [and] 577.041, [RSMo Supp. 1997 and] 577.023, 577.026, 577.029, 577.031 and 577.033, RSMo [1994] 2000. This rule was previously filed as 13 CSR 50-140.050 and 19 CSR 20-30.050. Original rule filed Oct. 1, 1965, effective Oct. 13, 1965. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed May 10, 2001, effective May 22, 2001, expires Nov. 17, 2001. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine

EMERGENCY AMENDMENT

19 CSR 25-30.070 Approval of Methods for the Determination of Blood Alcohol Content From Samples of Blood, Urine or Saliva. The department proposes to amend section (1).

PURPOSE: This amendment is being made to add additional statutes that are covered by this chapter.

EMERGENCY STATEMENT: This emergency amendment will help assure public health and safety by adding additional statutes that are covered by this chapter thus assuring breath tests pursuant to Missouri State Water Patrol Safety Regulations, Sections 306.111-306.119, RSMo for operating a vessel with excessive blood alcohol content will be admissible into evidence during legal proceedings. The department finds an immediate danger to the public health, safety and welfare that this amendment alleviates, as it will help prosecute intoxicated vehicle and vessel operators and follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. As a result, Missouri Department of Health finds an immediate danger to the public health, safety and welfare and a compelling governmental interest, which requires emergency action. This amendment complies with the protections extended by the Missouri and United States Constitutions. The scope of this emergency amendment limits itself to adding additional statutes that are covered by this chapter. This emergency amendment was filed on May 10, 2001, effective May 22, 2001, and expires November 17, 2001.

(1) Blood samples shall be taken in accordance with the provisions of section 577.029, and 306.111-306.119 RSMo.

AUTHORITY: sections [192.005.2] 192.006, 306.114, 306.117, 577.020, 577.026, 577.029, 577.031, 577.033, 577.039, [RSMo (1986)] 577.023, 577.041, [RSMo Supp. 1991] and 577.037, RSMo [Supp. 1988] 2000. This rule previously filed as 19 CSR 20-30.070. Emergency rule filed May 21, 1987, effective May 31, 1987, expired Sept. 28, 1987. Original rule filed May 21, 1987, effective Aug. 27, 1987. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed May 10, 2001, effective May 22, 2001, expires Nov. 17, 2001. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine

EMERGENCY AMENDMENT

19 CSR 25-30.080 Approval of Methods for the Analysis of Blood and Urine for the Presence of Drugs. The department proposes to amend section (1).

PURPOSE: This amendment is being made to add additional statutes that are covered by this chapter.

EMERGENCY STATEMENT: This emergency amendment will help assure public health and safety by adding additional statutes that are covered by this chapter thus assuring breath tests pursuant to Missouri State Water Patrol Water Safety Regulations, Sections 306.111-306.119, RSMo for operating a vessel with excessive blood alcohol content will be admissible into evidence during legal proceedings. The department finds an immediate danger to the public health, safety and welfare that this amendment alleviates, as it will help prosecute intoxicated vehicle and vessel operators and follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. As a result, Missouri Department of Health finds an immediate danger to the public health, safety and welfare and a compelling governmental interest, which requires emergency action. This amendment complies with

the protections extended by the Missouri and United States Constitutions. The scope of this emergency amendment limits itself to adding additional statutes that are covered by this chapter. This emergency amendment was filed on May 10, 2001, effective May 22, 2001, and expires November 17, 2001.

(1) Samples of blood or urine shall be collected in accordance with the provision of section 577.029, **and 306.111–306.119** RSMo and a sufficient volume of sample shall be collected to provide for duplicate testing.

AUTHORITY: sections [192.005.2] 192.006, 306.114, 306.117, 577.020, 577.026, 577.029, 577.031, 577.033, 577.039, [RSMo 1986] 577.023, 577.041, [RSMo Supp. 1991] and 577.037, RSMo [Supp. 1988] 2000. This rule previously filed as 19 CSR 20-30.080. Original rule filed July 15, 1988, effective Sept. 29, 1988. Changed to 19 CSR 25-30.080 Jan. 1, 1995. Emergency amendment filed May 10, 2001, effective May 22, 2001, expires Nov. 17, 2001. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least 30 days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than 30 days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the 90-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than 30 days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights and Measures Chapter 40—National Bureau of Standards Handbook 44

PROPOSED RESCISSION

2 CSR 90-40.010 NBS Handbook 44, Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring Devices. This rule provided specifications and tolerance for commercial weighing and measuring devices.

PURPOSE: This rule is being rescinded in its entirety. The statutory authority to promulgate regulations under 414.110 and 414.151 no longer exists.

AUTHORITY: sections 414.110 and 414.151, RSMo 1986. Original rule filed July 27, 1970, effective Aug. 5, 1970. Emergency amend-

ment filed April 16, 1985, effective May 1, 1985, expired July 1, 1985. Amended: Filed April 16, 1985, effective June 27, 1985. Rescinded: Filed April 17, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Weights and Measures Division, Attention: Ron Hooker, Director, PO Box 630, Jefferson City, MO 65102-0630. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights and Measures Chapter 50—Moisture-Measuring Devices

PROPOSED RESCISSION

2 CSR 90-50.010 Moisture-Measuring Devices for Plant Products. This rule established standards for the operation of moisture-measuring devices for plant products.

PURPOSE: This rule is being rescinded in its entirety. The statutory authority to promulgate regulations under 265.610, RSMo no longer exists. Moisture meter inspection responsibilities were transferred to Chapter 413, RSMo in 1997.

AUTHORITY: section 265.610, RSMo 1986. Original rule filed Sept. 23, 1976, effective Jan. 14, 1977. Amended: Filed April 17, 1990, effective June 28, 1990. Rescinded: Filed April 17, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Weights and Measures Division, Attention: Ron Hooker, Director, PO Box 630, Jefferson City, MO 65102-0630. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 4—Wildlife Code: General Provisions

PROPOSED AMENDMENT

3 CSR 10-4.113 Ginseng. The department proposes to amend sections (1), (2) and (3).

PURPOSE: This amendment clarifies that ginseng cultivated in Missouri may be harvested, possessed, transported or purchased at any time of the year, whether certified or not.

(1) Wild ginseng (*Panax quinquefolium*) may be harvested from September 1 through December 31. Wild ginseng plants or roots

harvested must possess three (3) or more true leaves (prongs) or flowering/fruiting stalks. The entire stalk, minus the mature fruits, shall be kept with the plants until they are taken to the harvester's home or place of business. When harvesting wild ginseng, harvesters shall plant all seeds from harvested plants within one hundred feet (100') of the parent plants. Plants or roots of **wild** ginseng taken in Missouri, or acquired from outside the state, may be purchased, sold, transported or exported only from September 1 through March 15; provided, certified roots may be possessed, purchased, sold, transported or exported throughout the year in accordance with this rule.

(2) Wild and cultivated Missouri ginseng plants or roots exported from the state must be accompanied by a numbered certificate of origin on forms provided by the department. Roots may be imported from other states, territories or countries only with appropriate certification of origin. Uncertified roots that have been received from outside the state must be returned to that state for certification within thirty (30) days of receipt. Uncertified Missouri **wild** roots may be possessed only from September 1 through March 15.

(3) Any person, group or business that purchases ginseng in Missouri for resale must register annually with the department as a ginseng dealer, and submit quarterly reports of all transactions within fifteen (15) days of the preceding buying period and an annual report of inventory, on forms provided by the department which are *[incorporated into this rule by reference]* **included herein**. Annual registration shall be contingent upon compliance with this rule and receipt of the required reports. All records required by this rule shall be retained for three (3) years.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 29, 1983, effective Jan. 1, 1984. For intervening history, please consult the Code of State Regulations. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 4—Wildlife Code: General Provisions

PROPOSED RESCISSION

3 CSR 10-4.115 Special Regulations for Department Areas. This rule related to special provisions for public use activities on certain department areas under regulations different from those applying on a statewide basis.

PURPOSE: This rule is being rescinded and readopted to reflect changes in format to the Missouri Wildlife Code.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This version of rule filed Dec. 15, 1975, effective Dec. 27, 1975. Amended: Filed April 5, 1976, effective July 12, 1976. Amended: Filed June 8, 1976, effective July 12, 1976. Amended: Filed July 13, 1976, effective Aug. 12, 1976. Amended: Filed July 13, 1976,

effective Oct. 16, 1976. Amended: Filed Aug. 11, 1976, effective Dec. 31, 1976. Amended: Filed Oct. 20, 1976, effective Feb. 11, 1977. Amended: Filed Feb. 23, 1977, effective April 11, 1977. Amended: Filed May 5, 1977, effective June 11, 1977. Amended: Filed May 5, 1977, effective Aug. 11, 1977. Amended: Filed June 3, 1977, effective Oct. 1, 1977. Amended: Filed June 27, 1977, effective Oct. 1, 1977. Amended: Filed June 27, 1977, effective Dec. 1, 1977. Amended: Filed July 29, 1977, effective Nov. 11, 1977. Amended: Filed March 13, 1978, effective April 13, 1978. Amended: Filed May 22, 1978, effective Sept. 15, 1978. Amended: Filed July 5, 1978, effective Aug. 11, 1978. Amended: Filed July 5, 1978, effective Oct. 12, 1978. Amended: Filed July 5, 1978, effective Dec. 1, 1978. Amended: Filed Aug. 4, 1978, effective Nov. 11, 1978. Amended: Filed Aug. 4, 1978, effective Jan. 1, 1979. Amended: Filed Sept. 5, 1978, effective Oct. 12, 1978. Amended: Filed Nov. 1, 1978, effective Dec. 11, 1978. Amended: Filed Jan. 22, 1979, effective March 11, 1979. Amended: Filed Feb. 22, 1979, effective June 11, 1979. Amended: Filed April 25, 1979, effective Aug. 11, 1979. Amended: Filed May 22, 1979, effective Sept. 15, 1979. Amended: Filed May 22, 1979, effective Dec. 1, 1979. Amended: Filed June 25, 1979, effective Aug. 11, 1979. Emergency amendment filed July 30, 1979, effective Oct. 1, 1979, expired Jan. 25, 1980. Amended: Filed July 30, 1979, effective Jan. 1, 1980. Amended: Filed Sept. 27, 1979, effective Jan. 1, 1980. Amended: Filed Nov. 28, 1979, effective March 14, 1980. Amended: Filed Feb. 28, 1980, effective June 12, 1980. Amended: Filed April 2, 1980, effective July 11, 1980. Amended: Filed June 27, 1980, effective Oct. 11, 1980. Amended: Filed June 27, 1980, effective Aug. 11, 1980. Amended: Filed Aug. 1, 1980, effective Nov. 14, 1980. Amended: Filed Aug. 29, 1980, effective Oct. 11, 1980. Amended: Filed Nov. 24, 1980, effective March 13, 1981. Amended: Filed Dec. 22, 1980, effective April 11, 1981. Emergency amendment filed April 1, 1981, effective April 11, 1981, expired May 15, 1981. Amended: Filed April 6, 1981, effective May 11, 1981. Amended: Filed June 1, 1981, effective Sept. 11, 1981. Amended: Filed June 29, 1981, effective Aug. 14, 1981. Amended: Filed July 31, 1981, effective Nov. 13, 1981. Amended: Filed July 31, 1981, effective Jan. 1, 1982. Amended: Filed Sept. 8, 1981, effective Dec. 11, 1981. Amended: Filed Jan. 29, 1982, effective March 11, 1982. Amended: Filed March 4, 1982, effective April 11, 1982. Amended: Filed March 26, 1982, effective May 14, 1982. Amended: Filed April 19, 1982, effective Aug. 12, 1982. Amended: Filed June 1, 1982, effective Sept. 11, 1982. Emergency amendment filed June 24, 1982, effective July 4, 1982, expired Aug. 12, 1982. Emergency amendment filed June 30, 1982, effective July 30, 1982, expired Nov. 26, 1982. Amended: Filed June 30, 1982, effective Aug. 12, 1982. Amended: Filed July 27, 1982, effective Sept. 11, 1982. Amended: Filed Aug. 31, 1982, effective Oct. 11, 1982. Amended: Filed Nov. 29, 1982, effective March 11, 1983. Amended: Filed Dec. 17, 1982, effective April 11, 1983. Emergency amendment filed Jan. 25, 1983, effective Feb. 5, 1983, expired May 5, 1983. Amended: Filed Feb. 25, 1983, effective June 11, 1983. Amended: Filed March 31, 1983, effective May 12, 1983. Amended: Filed April 25, 1983, effective June 11, 1983. Amended: Filed May 27, 1983, effective July 11, 1983. Amended: Filed June 24, 1983, effective Aug. 11, 1983. Amended: Filed Aug. 1, 1983, effective Sept. 11, 1983. Amended: Filed Aug. 1, 1983, effective Jan. 1, 1984. Amended: Filed Aug. 29, 1983, effective Oct. 11, 1983. Amended: Filed Sept. 23, 1983, effective Nov. 11, 1983. Amended: Filed Oct. 28, 1983, effective Feb. 11, 1984. Amended: Filed Feb. 24, 1984, effective June 11, 1984. Amended: Filed April 12, 1984, effective May 11, 1984. Amended: Filed April 30, 1984, effective June 11, 1984. Emergency amendment filed May 15, 1984, effective May 25, 1984, expired July 12, 1984. Amended: Filed May 29, 1984, effective July 12, 1984. Amended: Filed July 5, 1984, effective Aug. 11, 1984. Amended: Filed Aug. 3, 1984, effective Sept. 14, 1984. Amended: Filed Sept.

4, 1984, effective Oct. 11, 1984. Emergency amendment filed Oct. 16, 1984, effective Nov. 1, 1984, expired Jan. 15, 1985. Amended: Filed Nov. 2, 1984, effective Dec. 14, 1984. Amended: Filed Dec. 4, 1984, effective Jan. 11, 1985. Amended: Filed March 5, 1985, effective April 11, 1985. Amended: Filed April 4, 1985, effective May 11, 1985. Amended: Filed May 6, 1985, effective June 14, 1985. Amended: Filed July 8, 1985, effective Aug. 11, 1985. Amended: Filed Aug. 6, 1985, effective Jan. 1, 1986. Amended: Filed Sept. 3, 1985, effective Dec. 1, 1985. Amended: Filed Sept. 30, 1985, effective Nov. 1, 1985. Amended: Filed Nov. 6, 1985, effective Dec. 13, 1985. Amended: Filed Jan. 10, 1986, effective Feb. 14, 1986. Amended: Filed Jan. 31, 1986, effective March 1, 1986. Amended: Filed March 12, 1986, effective May 30, 1986. Amended: Filed April 28, 1986, effective June 1, 1986. Amended: Filed June 25, 1986, effective Aug. 1, 1986. Amended: Filed Aug. 7, 1986, effective Jan. 1, 1987. Amended: Filed Sept. 5, 1986, effective Oct. 11, 1986. Amended: Filed Sept. 30, 1986, effective Nov. 1, 1986. Amended: Filed Nov. 5, 1986, effective Jan. 1, 1987. Amended: Filed Jan. 6, 1987, effective March 1, 1987. Amended: Filed Feb. 10, 1987, effective March 14, 1987. Amended: Filed April 29, 1987, effective June 1, 1987. Amended: Filed June 10, 1987, effective July 11, 1987. Amended: Filed July 30, 1987, effective Sept. 1, 1987. Amended: Filed July 30, 1987, effective Jan. 1, 1988. Amended: Filed Sept. 2, 1987, effective Oct. 11, 1987. Amended: Filed Oct. 2, 1987, effective Nov. 12, 1987. Amended: Filed Nov. 24, 1987, effective Jan. 1, 1988. Amended: Filed Feb. 3, 1988, effective March 11, 1988. Amended: Filed Feb. 3, 1988, effective June 1, 1988. Amended: Filed March 22, 1988, effective May 1, 1988. Amended: Filed May 10, 1988, effective June 11, 1988. Amended: Filed June 7, 1988, effective July 11, 1988. Amended: Filed Sept. 12, 1988, effective Oct. 14, 1988. Amended: Filed Feb. 28, 1989, effective March 27, 1989. Amended: Filed Feb. 28, 1989, effective Jan. 1, 1990. Amended: Filed March 28, 1989, effective May 1, 1989. Amended: Filed June 1, 1989, effective July 1, 1989. Amended: Filed Sept. 11, 1989, effective Oct. 13, 1989. Amended: Filed Feb. 9, 1990, effective May 1, 1990. Rescinded and readopted: Filed May 31, 1990, effective Jan. 1, 1991. Emergency amendment filed Aug. 23, 1990, effective Sept. 3, 1990, expired Dec. 31, 1990. Amended: Filed Feb. 1, 1991, effective June 10, 1991. Amended: Filed April 26, 1991, effective Oct. 31, 1991. Emergency amendment filed Dec. 31, 1991, effective Feb. 15, 1992, expired June 13, 1992. Amended: Filed Dec. 31, 1991, effective May 14, 1992. Amended: Filed Feb. 11, 1992, effective June 25, 1992. Amended: Filed March 25, 1992, effective Sept. 6, 1992. Emergency amendment filed April 10, 1992, effective May 11, 1992, expired May 31, 1992. Amended: Filed April 28, 1992, effective Jan. 15, 1993. Emergency amendment filed Sept. 1, 1992, effective Oct. 1, 1992, expired Jan. 20, 1993. Amended: Filed Sept. 1, 1992, effective April 8, 1993. Amended: Filed March 24, 1993, effective Sept. 9, 1993. Amended: Filed April 21, 1993, effective Oct. 10, 1993. Amended: Filed April 21, 1993, effective Jan. 1, 1994. Amended: Filed June 9, 1993, effective Dec. 9, 1993. Amended: Filed Dec. 21, 1993, effective Jan. 1, 1994. Amended: Filed June 13, 1994, effective July 1, 1994. Amended: Filed July 29, 1994, effective Jan. 1, 1995. Amended: Filed Jan. 30, 1995, effective April 1, 1995. Amended: Filed May 30, 1995, effective June 10, 1995. Amended: Filed May 30, 1995, effective Jan. 1, 1996. Amended: Filed April 25, 1996, effective May 10, 1996. Amended: Filed June 27, 1996, effective July 15, 1996. Amended: Filed April 25, 1996, effective Jan. 1, 1997. Amended: Filed Dec. 18, 1996, effective March 31, 1997. Amended: Filed April 29, 1997, effective May 15, 1997. Amended: Filed Sept. 5, 1997, effective Sept. 18, 1997. Amended: Filed Oct. 9, 1997, effective Nov. 1, 1997. Amended: Filed June 11, 1997, effective March 1, 1998. Amended: Filed Jan. 29, 1998, effective March 1, 1998. Amended: Filed May 6, 1998, effective July 1, 1998. Amended: Filed July 8, 1998, effective July 20, 1998. Amended: Filed Aug. 3, 1998, effective Jan. 1, 1999.

Amended: Filed Sept. 3, 1998, effective Sept. 15, 1998. Amended: Filed June 11, 1998, effective March 1, 1999. Amended: Filed May 10, 1999, effective June 1, 1999. Amended: Filed May 10, 1999, effective June 1, 1999. Amended: Filed July 14, 1999, effective Aug. 1, 1999. Amended: Filed May 10, 1999, effective March 1, 2000. Amended: Filed Aug. 11, 1999, effective March 2, 2000. Amended: Filed Dec. 20, 1999, effective May 30, 2000. Amended: Filed April 24, 2000, effective Sept. 30, 2000. Amended: Filed July 19, 2000, effective Dec. 30, 2000. Amended: Filed Dec. 18, 2000, effective May 30, 2001. Rescinded: Filed April 30, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 4—Wildlife Code: General Provisions

PROPOSED RESCISSION

3 CSR 10-4.116 Special Regulations for Areas Owned by Other Entities. This rule related to cooperative special provisions for public use activities on areas owned by other entities.

PURPOSE: This rule is being rescinded and readopted to reflect changes in format to the *Missouri Wildlife Code*.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed May 31, 1990, effective Jan. 1, 1991. Amended: Filed Nov. 26, 1990, effective April 29, 1991. Amended: Filed April 26, 1991, effective Oct. 31, 1991. Amended: Filed July 29, 1994, effective Jan. 1, 1995. Amended: Filed May 30, 1995, effective Jan. 1, 1996. Emergency amendment filed April 25, 1996, effective May 6, 1996, expired Nov. 1, 1996. Amended: Filed March 26, 1996, effective Aug. 30, 1996. Amended: Filed April 25, 1996, effective Jan. 1, 1997. Amended: Filed June 11, 1997, effective March 1, 1998. Amended: Filed Aug. 3, 1998, effective Jan. 1, 1999. Amended: Filed May 6, 1998, effective March 1, 1999. Amended: Filed Jan. 21, 1999, effective June 1, 1999. Amended: Filed May 10, 1999, effective March 1, 2000. Amended: Filed Aug. 11, 1999, effective March 2, 2000. Amended: Filed Feb. 7, 2000, effective July 30, 2000. Amended: Filed April 24, 2000, effective March 1, 2001. Rescinded: Filed April 30, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits [for Hunting,
Fishing, Trapping]

PROPOSED AMENDMENT

3 CSR 10-5.205 Permits Required; Exceptions. The department proposes to add subsection (1)(M) and reletter the remaining subsections.

PURPOSE: This amendment allows residents of Missouri with certain severe, permanent mental or developmental disabilities to fish without a permit when accompanied by a licensed angler.

(1) Any person who chases, pursues, takes, transports, ships, buys, sells, possesses or uses wildlife in any manner must first obtain the prescribed hunting, fishing, trapping or other permit, or be exempted under 3 CSR 10-9.110, with the following exceptions:

(M) Any resident of Missouri with cerebral palsy or mental retardation as defined in section 630.005, RSMo, and who is so severely disabled that s/he cannot fish alone, may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed); provided, while fishing s/he is accompanied by a licensed adult fisherman and possesses a certified statement of eligibility from a licensed physician qualified to evaluate and treat the developmentally disabled.

[(M)] (N) Any honorably discharged resident veteran having a service-related disability of sixty percent (60%) or greater, or who was a prisoner of war during military service, may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed), and may take wildlife as provided in Chapter 7 without permit (except deer and turkey hunting permits and the Migratory Bird Hunting Permit as prescribed); provided, while hunting or fishing s/he carries a certified statement of eligibility from the Veterans Administration.

[(N)] (O) Any Missouri resident who is the owner of land that wholly encloses a body of water, or any member of his/her immediate household, may fish without permit in those waters. In the case of corporate ownership, this privilege shall apply to those corporate owners whose domicile is on such corporate-owned land.

[(O)] (P) Any person may fish without permit, trout permit and prescribed area daily tag during free fishing days. Free fishing days are the Saturday and Sunday following the first Monday in June.

[(P)] (Q) A customer or guest of a licensed trout fishing area may fish for trout without permit (see 3 CSR 10-9.645).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10— Conservation Commission
Chapter 5—Wildlife Code: Permits [for Hunting,
Fishing, Trapping]

PROPOSED AMENDMENT

3 CSR 10-5.215 Permits and Privileges: How Obtained; Not Transferable. The department proposes to amend section (1).

PURPOSE: This amendment allows for additional methods of identification for permit buyers.

(1) Permits may be obtained only upon satisfaction of all requirements imposed by this Code, including payment of fees, at the time of application. The Missouri Conservation Heritage Card, [or a] Social Security number, **Driver License number, or a Missouri Conservation identification number** shall be required to purchase all permits except daily tags.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits [for Hunting,
Fishing, Trapping]

PROPOSED AMENDMENT

3 CSR 10-5.216 Permits and Privileges: Revocation. The department proposes to amend section (1).

PURPOSE: This amendment provides a process for the suspension and revocation of commercial licenses.

(1) The commission may suspend, revoke or deny a permit or privilege for cause, but not until an opportunity has been afforded for a hearing before the commission or its authorized representative. The hearings under this section shall be noncontested cases **unless the permittee is entitled by law to a contested case hearing.**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and 252.043, RSMo 1994] and 454.1027, RSMo [Supp. 1997] 2000. Emergency rule filed April 26, 1991, effective May 7, 1991, expired Sept. 3, 1991. Original rule filed April 26, 1991, effective Oct. 31, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits [for Hunting,
Fishing, Trapping]**

PROPOSED AMENDMENT

3 CSR 10-5.310 Resident Lifetime Conservation Partner Permit. The department proposes to amend section (1).

PURPOSE: This amendment sets new fees for resident lifetime hunting and fishing permits.

(1) To pursue, take, possess and transport fish (including trout), frogs, mussels, clams, turtles, crayfish, live bait, birds (including migratory birds; except wild turkey) and mammals (except deer), and to sell furbearers taken by hunting. Fee: *[eight hundred dollars (\$800).]*

- (A) For persons age 15 and under: five hundred fifty dollars (\$550)
- (B) For persons age 16 to 29: eight hundred dollars (\$800)
- (C) For persons age 30 to 39: seven hundred dollars (\$700)
- (D) For persons age 40 to 59: six hundred dollars (\$600)
- (E) For persons age 60 to 64: seventy dollars (\$70)

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits [for Hunting,
Fishing, Trapping]**

PROPOSED AMENDMENT

3 CSR 10-5.315 Resident Lifetime Fishing Permit. The department proposes to amend provisions of this rule.

PURPOSE: This amendment sets new fees for resident lifetime fishing permits.

(1) To pursue, take, possess and transport fish (including trout), frogs, mussels, clams, turtles, crayfish and live bait. Fee: *[four hundred dollars (\$400).]*

- (A) For persons age 15 and under: Two hundred seventy-five dollars (\$275)
- (B) For persons age 16 to 29: Four hundred dollars (\$400)
- (C) For persons age 30 to 39: Three hundred fifty dollars (\$350)
- (D) For persons age 40 to 59: Three hundred dollars (\$300)
- (E) For persons age 60 to 64: Thirty-five dollars (\$35)

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits [for Hunting,
Fishing, Trapping]**

PROPOSED AMENDMENT

3 CSR 10-5.320 Resident Lifetime Small Game Hunting Permit. The department proposes to amend section (1).

PURPOSE: This amendment sets new fees for resident lifetime hunting permits.

(1) To pursue, take, possess and transport birds (including migratory birds; except wild turkey), mammals (except deer) and frogs, and to sell furbearers taken by hunting. Fee: *[four hundred dollars (\$400).]*

- (A) For persons age 15 and under: Two hundred seventy-five dollars (\$275)
- (B) For persons age 16 to 29: Four hundred dollars (\$400)
- (C) For persons age 30 to 39: Three hundred fifty dollars (\$350)
- (D) For persons age 40 to 59: Three hundred dollars (\$300)
- (E) For persons age 60 to 64: Thirty-five dollars (\$35)

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-6.405 General Provisions. The department proposes to amend section (1) and reorganize subsections (A)–(D) into new sections (2)–(5).

PURPOSE: This amendment modifies language in order to achieve consistency with the recently renegotiated reciprocal fishing agreement with the state of Illinois, and makes other minor wording and organizational changes.

(1) Fish, mussels and clams, bullfrogs and green frogs, turtles and live bait may be taken only as provided in this chapter or as further restricted in [3 CSR 10-4.115, 3 CSR 10-4.116] **Chapter 11, Chapter 12** or as otherwise [rules as] noted.

[(A)](2) Permits Required.

[1.](A) Any person, to exercise the privileges of this chapter, must obtain and have on his/her person the prescribed permit, temporary permit authorization number(s) or evidence of exemption. The temporary permit authorization number(s) and picture identification must be carried at all times while fishing until the actual permit(s) is received.

[2.](B) Any person possessing a valid sport fishing license issued by the state of Kentucky, Tennessee, Arkansas or Kansas, or who is legally exempted from those license requirements, without further permit or license, may fish [with hook and line] in the flowing portions of the Mississippi, St. Francis or Missouri rivers within the boundary of Missouri adjacent to the state where that person is licensed.

[3.](C) Any person possessing a valid sport fishing license issued by the state of Illinois or Nebraska, or who is legally exempted from those license requirements, without further permit or license, may fish [with hook and line in the flowing portions and backwaters of] in the Mississippi and Missouri rivers and their backwaters within the boundary of Missouri adjacent to the state where that person is licensed. These [anglers] persons may also fish [with hook and line] in the Missouri portion of any oxbow lakes through which the state boundary passes.

[(B)](3) Limits and Possession.

[1.](A) Any species taken into actual possession, unless released unharmed immediately after being caught, shall continue to be included in the daily limit of the taker for the day when taken except as authorized in [paragraph (1)(B)5.] **subsection (3)(E)** of this rule.

[2.](B) A person may possess only the daily limit of any species while on the waters or banks thereof to which the limit applies.

[3.](C) Regardless of where taken, no fish less than the specified minimum length limit shall be possessed on the waters or banks thereof to which length limits apply. The head, tail and skin must remain attached to all fish for which length limits are established while those fish are on the waters to which length limits apply or until the fish have been checked by an agent of the department.

[4.](D) Fish held live for release by the sponsor after a bona fide fishing tournament need not be kept separate and identifiable following tournament judging if released unharmed to the waters from which taken on the day taken.

[5.](E) During the months of September through June, black bass released unharmed by participants in a bona fide catch-and-release fishing tournament, which requires entrants to have a boat livewell with adequate capacity and a pump constantly adding

fresh or recirculating water, shall not be included in the daily limit, however, at no time may the daily limit be exceeded.

[6.](F) A person may possess no more than two (2) statewide daily limits of any species at any time.

[(C)](4) Reciprocal Privileges: Mississippi, Missouri and St. Francis Rivers.

[1.](A) All reciprocal privileges outlined in this rule shall be contingent upon a grant of like privileges by the appropriate neighboring state to [the] persons licensed or exempted [hook and line anglers of] by Missouri.

[2.](B) Regulations of the state where the [angler] person is licensed shall apply in Arkansas and Tennessee boundary waters. Missouri regulations shall apply in the Missouri portion of Illinois, Kentucky, Nebraska and Kansas boundary waters. [Anglers] Persons licensed in Illinois and Nebraska, when fishing in waters in which they are not licensed to fish by Missouri, shall comply with the most restrictive laws and regulations of the two (2) states.

[3.](C) [Anglers] Persons must be licensed in Missouri to fish in tributaries of the Mississippi, Missouri and St. Francis rivers.

[4.](D) [Anglers] Persons licensed in Arkansas, Kansas, Kentucky or Tennessee may not fish from or attach any device or equipment to land under the jurisdiction of Missouri.

[5.](E) [Anglers] Persons licensed in Illinois or Nebraska may fish from or attach [any] devices or equipment to land under the jurisdiction of Missouri.

[(D)](5) Impoundments and Streams.

[1.](A) For purposes of these rules, the arms of major hydroelectric or flood control impoundments will extend to the lake contour that is commonly referred to as the conservation pool, multi-purpose pool or normal pool, or to specific locations identified by posting. Impoundment rules apply to all other bodies of water impounded by dams and to natural lakes not permanently connected to flowing streams. Stream fishing rules apply above in-stream structures that do not elevate water levels above the stream's high bank and that do not regulate water flow.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-6.410 Fishing Methods. The department proposes to amend section (4), adds a new section (11) and rennumbers the remaining sections.

PURPOSE: This amendment clarifies the use of jug lines and prohibits possession of fish traps on waters of the state or adjacent banks.

(4) Minnow traps, hooks, trotlines, throwlines, limb lines, *[or]* bank lines or anchored jug lines (rendered immobile from the location where set) may not be left unattended for more than twenty-four (24) hours or must be completely removed. Unanchored *[J]*jug lines must be personally attended at all times.

(11) Except as provided in 3 CSR 10-6.605, fish traps, including slat traps and wire traps, may not be possessed on waters of the state or adjacent banks.

[[11]] **(12)** As an aid to fishing methods, an artificial light may be used only above the water surface, except that underwater lights may be used to attract fish while fishing by pole and line.

[[12]] **(13)** Endangered species and fish included in 3 CSR 10-6.505 through 3 CSR 10-6.545, their parts or eggs, may not be used for bait.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. Amended: Filed May 30, 1995, effective Jan. 1, 1996. Amended: Filed April 24, 2000, effective March 1, 2001. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-6.505 Black Bass. The department proposes to add a new subsection (1)(D) and amend paragraph (4)(A)1.

PURPOSE: This amendment increases the daily limit and eliminates the minimum length limit on spotted (Kentucky) bass in the Meramec River and its tributaries, including Big River and Bourbeuse River and their tributaries.

(1) Daily Limit: Six (6) in the aggregate, including smallmouth bass, largemouth bass, spotted bass and all black bass hybrids, except:

(D) The daily limit for spotted (Kentucky) bass is twelve (12) in the Meramec, Big and Bourbeuse rivers and their tributaries.

(4) Length Limits.

(A) Streams: All black bass less than twelve inches (12") in total length must be returned to the water unharmed immediately after being caught from the unimpounded portion of any stream, including Pools 20–26 on the Mississippi River, except as follows:

1. *[On Big River from the Highway 21 bridge (near Washington State Park) to its confluence with the*

Meramec River and Mineral Fork from the Highway F bridge (Washington County) to its confluence with the Big River, there is no length limit on spotted (Kentucky) bass.]
On the Meramec, Big and Bourbeuse rivers and their tributaries, there is no length limit on spotted (Kentucky) bass.

2. On the Big Piney River from Slabtown Access to Ross Access, the Eleven Point River from Thomasville Access to the Arkansas line, the Meramec River from Scott's Ford to the railroad crossing at Bird's Nest, the Big River from the Highway 21 bridge (near Washington State Park) to its confluence with the Meramec River, Mineral Fork from the Highway F bridge (Washington County) to its confluence with the Big River, Osage Fork of the Gasconade River from the Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River and Tenmile Creek from the Highway B bridge (Carter County) to its confluence with Cane Creek, all smallmouth bass less than fifteen (15") in total length must be returned to the water unharmed immediately after being caught.

3. On the Jacks Fork River from Highway 17 bridge to Highway 106 bridge and the Gasconade River from Highway Y bridge (Pulaski County) to Highway D bridge (Phelps County), all smallmouth bass less than eighteen inches (18") in total length must be returned to the water unharmed immediately after being caught.

4. On the James River from Hooten Town bridge (Stone County Road A-90) to Highway 13 bridge, all smallmouth bass and largemouth bass less than fifteen inches (15") must be returned to the water unharmed immediately after being caught.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-6.525 Paddlefish. The department proposes to amend section (7).

PURPOSE: This amendment prohibits the possession of paddlefish on a portion of the Little Platte River.

(7) Paddlefish may not be possessed on waters from Truman Dam downstream throughout the no-boating zone, **on the Little Platte River from Smithville Dam downstream to U.S. Highway 169**, and from James River from below Lake Springfield Dam to the Highway 160 bridge.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening

history, please consult the *Code of State Regulations*. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

PROPOSED AMENDMENT

3 CSR 10-9.575 Hound Running Area: Privileges, Requirements. The department proposes to amend section (3).

PURPOSE: This amendment corrects a section number reference to another rule.

(3) The holder of a Hound Running Area Operator's Permit may obtain foxes and coyotes from a holder of a valid trapping permit as prescribed in 3 CSR 10-8.515/[(4)] (7). Permittees may also purchase foxes and coyotes from a holder of a Class I Wildlife Breeder Permit. These foxes and coyotes may only be released into the permittee's running area and must be individually marked with ear tags provided by the department for which the permittee shall pay fifty cents (50¢) per tag. These animals may not be sold, given away, released to the wild or exported, except with written authorization of the director.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Sept. 29, 1994, effective July 1, 1995. Amended: Filed June 11, 1997, effective March 1, 1998. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

PROPOSED AMENDMENT

3 CSR 10-9.625 Field and Retriever Trial Permit. The department proposes to amend section (2).

PURPOSE: This amendment eliminates the requirement for field trial permit holders to submit a list of participants to the department within ten (10) days following closing of the trial.

(2) Each permit holder shall [provide the department with a complete list of names and addresses of participants within ten (10) days following the closing date of the trial] record the names and addresses of all participants for each trial held, and shall maintain these records for one year following the closing date of the trial. These records shall be subject to inspection by an authorized agent of the department at any reasonable time.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 10—Wildlife Code: Commercial Permits:
Seasons, Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-10.744 Commercial Deer Processing: Permit, Privileges, Requirements. The department proposes to amend section (2) and add a new section (3).

PURPOSE: This amendment allows commercial deer processors to store unlabeled, processed specialty deer meats in a common storage area from October 1 through March 31.

(2) The commercial processor shall post a notice and inform patrons of the provisions of this rule, and shall keep accurate records of all deer processed and stored. These records shall be retained for twelve (12) months. Future permits shall be conditioned on compliance with this rule. All records and stored deer shall be made available for inspection by an authorized agent of the department at any reasonable time.

(3) For the purposes of processing specialty deer meats, commercial processors are exempt from provisions of 3 CSR 10-4.137. For purposes of storing specialty deer meats, commercial processors are exempt from provisions of 3 CSR 10-4.137 and 3 CSR 10-4.140(2), but only from October 1 through March 31. These exemptions do not apply to raw, packaged venison.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed April 28, 1992, effective Dec. 3, 1992. Emergency rule filed July 31, 1992, effective Sept. 1, 1992, expired Dec. 3, 1992. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.105 Title; Authority

PURPOSE: This rule defines which department areas these regulations apply to and how exceptions to the regulations are made.

The special regulations in this chapter apply on lands and waters (referred to as department areas) owned or leased by the Department of Conservation. The director may issue temporary written exceptions to rules and provisions of this chapter for emergencies, special events and other compatible uses.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.110 General Provisions

PURPOSE: This rule establishes restricted activities on department areas.

(1) The following activities are allowed on department areas only where and as authorized by this chapter or by signs and area brochures or by a special use permit issued by the area manager: swimming, sailboarding, sailboating, skateboarding, boating, entry on areas closed to public use, bicycling, camping, shooting, hunting, fishing, trapping, collecting or possessing wild plants and wild animals and unprocessed parts thereof, removal of water, commercial use, vending, fires outside of designated camping areas, rock collecting, digging and other soil disturbance, horseback riding, ranging of horses and other livestock, possession of

pets and hunting dogs, caving, rock climbing, rappelling, paintballing, scuba diving, water skiing, the use and possession of vehicles and aircraft, the use of decoys, and the use or construction of blinds and tree stands.

(2) On Thomas Hill Reservoir, swimming, sailboarding, scuba diving and water skiing are permitted, except water skiing is prohibited north of Highway T on the Stinking Creek Arm of the lake and on the warm water arm of the lake upstream from the marker buoys.

(3) The destruction, defacing or removal of department property and use of fireworks are prohibited.

(4) Possession of glass food and beverage containers is prohibited within the Castor River Shut-Ins Natural Area on Amidon Memorial Conservation Area.

(5) Waste containers may be used only for disposal of garbage, trash, refuse or rubbish generated on the department area.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.115 Closings

PURPOSE: This rule establishes hours department areas are closed to public use and designates conditions under which some areas are closed to certain activities.

(1) Department areas are closed to public use from 10:00 p.m. to 4:00 a.m. daily; however, hunting, fishing, trapping, dog training, camping, launching boats and landing boats are permitted at any time in areas where these activities are authorized, except as otherwise provided in this chapter. Any department area may be opened during closed hours for department sponsored events or programs. Parking or storage of watercraft and commercial vehicles is prohibited during the closed hours.

(A) On Blind Pony Lake Conservation Area, Little Dixie Lake Conservation Area and Riverwoods Conservation Area, all public use is prohibited from 10:00 p.m. to 4:00 a.m. daily.

(B) On August A. Busch Memorial Conservation Area, all public use is prohibited from 10:00 p.m. to 6:00 a.m. daily, except for authorized hunting and fishing activities.

(C) On Columbia Bottom Conservation Area, Ronald and Maude Hartell Conservation Area and James A. Reed Memorial Wildlife Area, all public use is prohibited from 10:00 p.m. to 6:00

a.m. daily from April 1 through September 30, and from 7:00 p.m. to 6:00 a.m. daily from October 1 through March 31, except for authorized hunting and fishing activities.

(D) On Bellefontaine Conservation Area and Powder Valley Conservation Nature Center, all public use is prohibited from 8:00 p.m. to 6:00 a.m. daily from April 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through March 31.

(E) On Conservation Commission Headquarters and Runge Conservation Nature Center, all public use is prohibited from 9:00 p.m. to 6:00 a.m. daily from April 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through March 31.

(F) On Springfield Conservation Nature Center, all public use is prohibited from 9:00 p.m. to 6:00 a.m. daily from March 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through February 28.

(G) On Rockwoods Range and Rockwoods Reservation, all public use is prohibited from one-half (1/2) hour after sunset to sunrise daily.

(2) The following department areas are closed during high waters:

(A) On Donaldson Point Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the Mississippi River water level is at or above thirty-four feet (34') on the New Madrid gauge.

(B) On Seven Island Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the Mississippi River water level is at or above forty-three feet (43') on the Cairo gauge.

(C) On Hornersville Swamp Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the water level is at or above two hundred thirty-nine feet (239') on the Hornersville gauge.

(3) The following department areas are closed to protect waterfowl:

(A) On Bull Shoals Lake waterfowl refuge, hunting, fishing, trapping, boating and vehicles are prohibited from November 15 through February 15 on the lands and waters of the Theodosia Arm of Bull Shoals Lake—to include all of Section 13, and south half of Section 12, T22N, R16W; all of Section 17, south half of Sections 7 and 8, and that part of Sections 19 and 20 north of Highway 160 bridge, all in T22N, R15W.

(B) On Stockton Lake waterfowl refuge, hunting, fishing, trapping, boating and vehicles are prohibited from October 15 through the area's prescribed duck and Canada goose seasons on all Corps of Engineers lands and waters on and adjacent to the Little Sac Arm from the Highway 123 bridge to the county road bridge crossing Little Sac River in Section 11, T32N, R24W.

(C) On the portion of Ralph and Martha Perry Memorial Conservation Area which has been designated a waterfowl refuge, hunting, fishing, trapping, boating, entry by the public and vehicles are prohibited from October 15 through the close of the waterfowl season.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box

180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.120 Pets and Hunting Dogs

PURPOSE: This rule establishes provisions for allowing pets and hunting dogs on department areas.

(1) Pets and hunting dogs are permitted but must be on a leash or confined at all times, except as otherwise provided by signs, area brochures or this chapter.

(A) Pets and hunting dogs are prohibited on the following department areas:

1. Bellefontaine Conservation Area
2. Burr Oak Woods Conservation Area
3. Engelmann Woods Natural Area
4. Powder Valley Conservation Nature Center
5. Rockwoods Reservation
6. Runge Conservation Nature Center
7. Springfield Conservation Nature Center

(2) Hunting dogs may be used off the leash and unconfined for hunting and for training for the purposes of chasing, locating, tracking or retrieving game as defined by the Wildlife Code, on those department areas where and when hunting and dog training are permitted.

(A) Any person training hunting dogs must have the permit required by 3 CSR 10-7.405.

(B) On Duck Creek Conservation Area, training of hunting dogs is permitted only by holders of a valid area dog training permit during dates and hours established for this activity.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.130 Vehicles, Bicycles, Horses and Horseback Riding

PURPOSE: *This rule restricts the use of certain transportation methods on department areas.*

(1) Vehicle use is restricted to graveled and paved roads and established parking areas, unless otherwise posted.

(2) Bicycles are permitted only on trails designated for their use and on roads and trails open to vehicular traffic, unless otherwise posted. Groups of more than ten (10) people must obtain a special use permit.

(3) Horses and horseback riding are permitted only on trails designated for their use and on roads and trails open to vehicular traffic, unless otherwise posted. Riding may be permitted on other portions of department areas, but only with a special use permit. Groups of more than ten (10) people must obtain a special use permit.

AUTHORITY: *sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.*

PUBLIC COST: *This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed rule will not cost private entities more than \$500 in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.135 Wild Plants, Plant Products, and Mushrooms

PURPOSE: *This rule limits harvesting wild plants, plant products, and mushrooms on department areas.*

(1) Nuts, berries, fruits, edible wild greens and mushrooms may be taken only for personal consumption, unless further restricted in this chapter.

(A) On Conservation Commission Headquarters, Powder Valley Conservation Nature Center, Runge Conservation Nature Center and Springfield Conservation Nature Center, taking of nuts, berries, fruits, edible wild greens and mushrooms is prohibited.

(B) On Burr Oak Woods Conservation Area and Rockwoods Reservation, taking of nuts, berries, fruits and edible wild greens is prohibited.

(C) On areas designated by the Conservation Commission as Missouri Natural Areas, taking edible wild greens is prohibited.

AUTHORITY: *sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.*

PUBLIC COST: *This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed rule will not cost private entities more than \$500 in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.140 Camping

PURPOSE: *This rule establishes provisions for camping on department areas.*

(1) Camping is permitted only within areas designated by signs or brochures. Stays are limited to a period of fourteen (14) consecutive days in any thirty (30)-day period, with the period to commence the date the site is occupied or camping within any given department area first occurs. Personal property must be removed at the end of the fourteen (14)-day period. On those areas with established campsites, only two (2) camping or sleeping units are permitted in each site. Quiet hours are effective from 10:00 p.m. to 6:00 a.m. daily. Visitors who are not occupying a campsite are required to leave the campground by 10:00 p.m. Quiet hours are defined as the cessation of excessive noise from people or any mechanical device which causes disturbance to other campers. Camping fees are required at some areas. Groups of more than ten (10) people must obtain a special use permit prior to camping.

(A) On Thomas Hill Reservoir, only one (1) camping or sleeping unit and a maximum of six (6) people are permitted in each campsite.

AUTHORITY: *sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.*

PUBLIC COST: *This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed rule will not cost private entities more than \$500 in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.145 Tree Stands

PURPOSE: This rule establishes provisions for use of tree stands on department areas.

Only portable tree stands are allowed and only from September 15 through January 31. Stands must be identified with the full name and address of the owner and be removed from the area before February 1. Use of nails or any material that would damage the tree is prohibited.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.150 Target Shooting and Shooting Ranges

PURPOSE: This rule establishes provisions for target shooting and use of shooting ranges on department areas.

Target shooting is permitted only on designated public shooting ranges or by special use permit. Range use shall be in accordance with posted instructions or as directed by the range officer, and is contingent upon the right to inspect permits, firearms and ammunition by an agent of the department or certified law enforcement officer. Use of incendiary, including tracer rounds, armor piercing or explosive ammunition is prohibited. Fully automatic weapons are permitted only with a special use permit. Range use fees are required at some areas. Possession of alcoholic beverages is prohibited on all ranges and associated parking lots. Groups of more than ten (10) people must obtain a special use permit prior to use of a range.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.155 Decoys and Blinds

PURPOSE: This rule establishes provisions for the use of decoys and blinds on department areas.

(1) Decoys and blinds are permitted but must be disassembled and removed daily, except as otherwise provided in this chapter. Blinds may be constructed on-site only from willows (*Salicaceae*) and nonwoody vegetation.

(A) On those portions of Upper Mississippi Conservation Area designated as restricted waterfowl hunting areas, blind sites shall be designated and allotted through a system of registration and drawing established by the department. Blinds must be constructed within ten (10) yards of an assigned site before October 1 and meet department specifications. On portions of the area designated as open, blinds may be constructed without site restrictions. Blinds or blind sites on both restricted and open portions of the area may not be locked, transferred, rented or sold. Boats shall not be left overnight at blind sites. After 6:00 a.m., unoccupied blinds may be used by the first hunter to arrive.

(B) On Thomas Hill Reservoir, waterfowl blinds may be constructed only on the Stinking Creek Arm and on the lake south of Highway T, but may not be locked, transferred, rented or sold. The builder must post his/her full name and address on the blind. After 6:00 a.m., unoccupied blinds may be used by the first hunter to arrive. Blind sites may not be claimed by staking or other means prior to September 1. Blinds must be completely removed from the area before April 1 each year.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.160 Use of Boats and Motors

PURPOSE: This rule establishes provisions for use of boats and motors on department areas.

(1) Boats, including sailboats, may be used on lakes and ponds designated as open to boats, except as further restricted in this chapter. Boats may not be left unattended overnight. Houseboats

are prohibited. Registration and a fee are required for rental of department-owned boats. Fees must be paid prior to use.

(A) Except as provided below, only electric motors are permitted on lakes and ponds of less than seventy (70) acres. Electric motors and outboard motors are permitted on lakes of seventy (70) or more acres and on certain areas in conjunction with waterfowl hunting, except as otherwise provided in paragraph (1)(A)3. of this rule. Outboard motors in excess of ten (10) horsepower must be operated at slow, no-wake speed, except as otherwise provided in paragraph (1)(A)4. of this rule.

1. On August A. Busch Memorial Conservation Area and James A. Reed Memorial Wildlife Area, only department-owned boats may be used and only electric motors are permitted.

2. On Hunnewell Lake Conservation Area, only department-owned boats may be used.

3. On Robert G. DeLaney Lake Conservation Area, only electric motors are permitted.

4. On Thomas Hill Reservoir, boating is prohibited on the main arm of the lake above Highway T from October 15 through January 15. No horsepower restrictions apply. Boats may be left unattended overnight.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas

PROPOSED RULE

3 CSR 10-11.165 Bullfrogs and Green Frogs

PURPOSE: This rule establishes provisions for harvesting bullfrogs and green frogs on department areas.

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, gig, longbow, snagging, snaring, grabbing or pole and line, only on waters and within dates and hours those waters are open to fishing, except as further restricted in this chapter. Firearms may not be used to take bullfrogs and green frogs.

(A) On Louis H. Bangert Memorial Wildlife Area and August A. Busch Memorial Conservation Area, longbows are prohibited for taking frogs.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas

PROPOSED RULE

3 CSR 10-11.180 Hunting, General Provisions and Seasons

PURPOSE: This rule establishes general provisions for hunting on department areas.

(1) Hunting is permitted on department areas, except as further restricted by signs, area brochures or this chapter. Unless otherwise provided in this chapter, statewide permits, seasons, methods and limits apply.

(2) Hunting may be further restricted on designated portions of department areas which include, but are not limited to, refuges, wildlife sanctuaries, shooting ranges, residences, work areas, campgrounds and other public use or service areas.

(3) Hunting is prohibited on public fishing access areas less than forty (40) acres in size.

(4) Hunting is prohibited on the following department areas:

- (A) Allred Lake Natural Area
- (B) Ashe Juniper Natural Area
- (C) Austin Community Lake
- (D) Ava Forestry Office
- (E) Louis H. Bangert Memorial Wildlife Area
- (F) Bat Cave Conservation Area
- (G) Bellefontaine Conservation Area
- (H) Bicentennial Conservation Area
- (I) Binder Community Lake
- (J) Bird's Blue Hole
- (K) Bittern Bottoms Conservation Area
- (L) Robert L. Blattner Conservation Area
- (M) Lois Arlene Boesl Outdoor Educational Area
- (N) Bolivar Forestry Office
- (O) Boone Cave Conservation Area
- (P) Marguerite Bray Conservation Area
- (Q) Brookfield Maintenance Center
- (R) Buffalo Radio Facility
- (S) Caldwell Memorial Wildlife Area
- (T) Camdenton Conservation Service Center
- (U) Caruthersville Rookery Conservation Area
- (V) Clearwater District Headquarters
- (W) Climax Springs Towersite
- (X) Conservation Commission Headquarters
- (Y) Conservation Research Center
- (Z) Carrick W. Davidson—Robert Paris Wildlife Area
- (AA) Robert G. DeLaney Lake Conservation Area
- (BB) Doniphan Towersite
- (CC) Drovers Prairie Conservation Area
- (DD) East Central Regional Office
- (EE) Engelmann Woods Natural Area

- (FF) Eugene Towersite
 (GG) Foxglove Conservation Area
 (HH) Friendly Prairie Conservation Area
 (II) Gay Feather Prairie Conservation Area
 (JJ) Grandpa Chipley's Conservation Area
 (KK) Gravois Mills Access
 (LL) Ronald and Maude Hartell Conservation Area
 (MM) James R. Harter Conservation Area
 (NN) Ruth and Paul Henning Conservation Area
 (OO) Hickory Canyons Natural Area
 (PP) Hinkson Woods Conservation Area
 (QQ) Houston Forestry Office
 (RR) Hurley Radio Facility
 (SS) Hurricane Deck Towersite
 (TT) Jefferson City Radio Facility
 (UU) Joplin Towersite
 (VV) Juden Creek Conservation Area
 (WW) LaPetite Gemme Prairie Conservation Area
 (XX) Lebanon Forestry Office
 (YY) Lebanon Towersite
 (ZZ) Lichen Glade Conservation Area
 (AAA) Limpp Community Lake
 (BBB) Lipton Conservation Area
 (CCC) Little Osage Prairie
 (DDD) Lower Taum Sauk Lake
 (EEE) Malta Bend Community Lake
 (FFF) Mansfield Shop
 (GGG) Maple Flats Access
 (HHH) Maple Woods Natural Area
 (III) Miller Community Lake
 (JJJ) Mint Spring Conservation Area
 (KKK) Mount Vernon Prairie
 (LLL) Neosho District Office
 (MMM) New Madrid Forestry Office
 (NNN) Niawathe Prairie Conservation Area
 (OOO) Northeast Regional Office
 (PPP) Northwest Regional Office
 (QQQ) Onyx Cave Conservation Area
 (RRR) Ozark Regional Office
 (SSS) Parma Woods Range and Training Center (south portion)
 (TTT) Pawhuska Prairie
 (UUU) Pawnee Prairie Conservation Area
 (VVV) Perry County Community Lake
 (WWW) Perryville District Headquarters
 (XXX) Pickle Springs Natural Area
 (YYY) Pilot Knob Towersite
 (ZZZ) Plad Towersite
 (AAAA) Port Hudson Lake Conservation Area
 (BBBB) Powder Valley Conservation Nature Center
 (CCCC) Ray County Community Lake
 (DDDD) Riverwoods Conservation Area
 (EEEE) Rockwoods Reservation
 (FFFF) Rockwoods Towersite
 (GGGG) Rush Creek Conservation Area
 (HHHH) Saeger Woods Conservation Area
 (IIII) Salem Maintenance Center
 (JJJJ) Schnabel Woods
 (KKKK) F. O. and Leda J. Sears Memorial Wildlife Area
 (LLLL) Sedalia Conservation Service Center
 (MMMM) Shawnee Mac Lakes Conservation Area
 (NNNN) Shepherd of the Hills Fish Hatchery
 (OOOO) Sims Valley Community Lake
 (PPPP) Southeast Regional Office
 (QQQQ) Southwest Regional Office
 (RRRR) Springfield Conservation Nature Center
 (SSSS) Julian Steyermark Woods Conservation Area
 (TTTT) Thirtyfour Corner Blue Hole
 (UUUU) Tower Rock Natural Area
 (VVVV) Tri-City Community Lake
 (WWWW) Twin Borrow Pits Conservation Area
 (XXXX) Tywappity Community Lake
 (YYYY) Ulman Towersite
 (ZZZZ) Upper Mississippi Conservation Area (Clarksville Refuge)
 (AAAAA) Vandalia Community Lake
 (BBBBB) Wah-Kon-Tah Prairie (portion south of Highway 82)
 (CCCCC) Wah-Sha-She Prairie
 (DDDDD) Walnut Woods Conservation Area
 (EEEEE) Warrenton Forestry Office
 (FFFFF) Warrenton Towersite
 (GGGGG) West Central Regional Office
 (HHHHH) White Alloe Creek Wildcat Conservation Area
 (IIIII) Wildcat Glade Natural Area
 (JJJJJ) Walter Woods Conservation Area
 (KKKKK) Mark Youngdahl Urban Conservation Area
- (5) Firearms firing single projectiles are prohibited on the following department areas:
- (A) Beaver Creek Conservation Area
 (B) Bennett Spring Access
 (C) Branch Towersite
 (D) Brickley Hollow Access
 (E) Catawissa Conservation Area
 (F) Charity Access
 (G) Crooked Creek Conservation Area
 (H) Cuivre Island Conservation Area (mainland portion)
 (I) Diamond Grove Prairie Conservation Area
 (J) Dorris Creek Prairie Conservation Area
 (K) Dorsett Hill Prairie Conservation Area
 (L) Arthur Dupree Memorial Conservation Area
 (M) Eagle Bluffs Conservation Area
 (N) Peter A. Eck Conservation Area
 (O) Earthquake Hollow Conservation Area
 (P) Ferguson-Herold Conservation Area
 (Q) Fort Leonard Wood Tower Site
 (R) Larry R. Gale Access
 (S) Grand Bluffs Conservation Area
 (T) Horse Creek Prairie Conservation Area
 (U) Anthony and Beatrice Kendzora Conservation Area
 (V) Little Bean Marsh Conservation Area
 (W) Little Dixie Lake Conservation Area
 (X) Little Prairie Conservation Area
 (Y) Little River Conservation Area
 (Z) Caroline Sheridan Logan Memorial Wildlife Area
 (AA) Lone Jack Lake Conservation Area
 (BB) Lost Valley Fish Hatchery
 (CC) Alice Ahart Mansfield Memorial Conservation Area
 (DD) Marais Temps Clair Conservation Area
 (EE) Mo-No-I Prairie Conservation Area
 (FF) Mon-Shon Prairie Conservation Area
 (GG) Pacific Palisades Conservation Area
 (HH) Guy B. Park Conservation Area
 (II) Parma Woods Range and Training Center (north portion)
 (JJ) Reform Conservation Area
 (KK) Rocky Barrens Conservation Area
 (LL) Dr. O. E. and Eloise Sloan Conservation Area
 (MM) Sunbridge Hills Conservation Area
 (NN) Tipton Ford Access
 (OO) Treaty Line Prairie Conservation Area
 (PP) Valley View Glades Natural Area
 (QQ) Archie and Gracie VanDerhoef Memorial State Forest
 (RR) Victoria Glades Conservation Area
 (SS) Vonaventure Memorial Forest and Wildlife Area
 (TT) George O. White State Forest Nursery
 (UU) Young Conservation Area

(6) Firearms firing single projectiles are prohibited, except during managed deer hunts, and except furbearers treed with the aid of dogs may be taken with a twenty-two (.22) caliber firearm on the following department areas:

- (A) August A. Busch Memorial Conservation Area
- (B) Platte Falls Conservation Area
- (C) Weldon Spring Conservation Area

(7) Firearms firing single projectiles are prohibited, except during managed deer hunts on the following department areas:

- (A) Bois D'Arc Conservation Area
- (B) Drury-Mincy Conservation Area
- (C) James A. Reed Memorial Wildlife Area
- (D) Saint Stanislaus Conservation Area

(8) Firearms hunting is prohibited on the following department areas:

- (A) Boston Ferry Conservation Area
- (B) Jamesport Community Lake
- (C) J. Thad Ray Memorial Wildlife Area
- (D) Lon Sanders Canyon Conservation Area
- (E) Henry Jackson Waters and C.B. Moss Memorial Wildlife Area

(9) Use or possession of lead shot is prohibited for hunting in designated zones on the following department areas:

- (A) Bob Brown Conservation Area
- (B) Columbia Bottom Conservation Area
- (C) Cooley Lake Conservation Area
- (D) Coon Island Conservation Area
- (E) Duck Creek Conservation Area
- (F) Eagle Bluffs Conservation Area
- (G) Fountain Grove Conservation Area
- (H) Four Rivers Conservation Area
- (I) Grand Pass Conservation Area
- (J) B. K. Leach Memorial Conservation Area
- (K) Little Bean Marsh Conservation Area
- (L) Little River Conservation Area
- (M) Marais Temps Clair Conservation Area
- (N) Montrose Conservation Area
- (O) Nodaway Valley Conservation Area
- (P) Otter Slough Conservation Area
- (Q) Schell-Osage Conservation Area
- (R) Settle's Ford Conservation Area
- (S) Ted Shanks Conservation Area
- (T) Ten Mile Pond Conservation Area

(10) On Otter Slough Conservation Area, turkey hunting is prohibited.

(11) On Duck Creek Conservation Area (south of Highway Z), Eagle Bluffs Conservation Area and Grand Pass Conservation Area fall firearms turkey hunting is prohibited.

(12) On Weldon Spring Conservation Area, spring turkey hunting and fall archery turkey hunting are permitted only by holders of a Managed Turkey Hunting Permit in addition to prescribed statewide permits.

(13) On designated portions of Peck Ranch Conservation Area, spring turkey hunting is permitted only with a Managed Turkey Hunting Permit in addition to prescribed statewide permit. Fall turkey hunting is prohibited.

(14) On Caney Mountain Conservation Area (fenced portion) and Drury-Mincy Conservation Area (Drury portion), spring turkey hunting is permitted only with a longbow.

(15) On Caney Mountain Conservation Area (fenced portion), turkey and squirrel hunting only with muzzleloading shotguns and longbows is permitted during the fall firearms turkey season.

(16) On August A. Busch Memorial Conservation Area:

(A) Rabbits may be hunted only with shotgun from sunrise to 4:30 p.m., from January 1 through February 15. The daily limit is four (4) rabbits.

(B) Doves may be hunted only from one-half (1/2) hour before sunrise to 1:00 p.m. during the statewide season.

(C) Squirrels and groundhogs may be hunted only with shotgun from the fourth Saturday in May through October 15.

(D) Furbearers may only be hunted from 6:00 p.m. to 6:00 a.m. from December 15 through the end of the prescribed furbearer season. Coyotes may be taken only by shotgun during daylight hours from the fourth Saturday in May through September 30 and from December 15 through March 31, except coyotes may be taken during managed deer hunts by participants possessing a valid Managed Deer Hunting Permit and the prescribed hunting permit.

(E) Spring turkey hunting is permitted only with a Managed Turkey Hunting Permit in addition to prescribed statewide permit. Fall firearms turkey hunting is prohibited.

(F) Quail hunting is permitted only during managed quail hunts.

(17) On James A. Reed Memorial Wildlife Area:

(A) Rabbits may be hunted only from 8:00 a.m. to 4:30 p.m. daily from December 1 through the end of the statewide season by holders of a valid area daily hunting tag.

(B) Doves may be hunted only in assigned areas from assigned shooting stations from noon to sunset each Monday through Friday, except Labor Day, during the statewide season by holders of a valid area daily hunting tag.

(C) Squirrels may be hunted only from 8:00 a.m. to 4:30 p.m. daily from December 1 through December 31 by holders of a valid area daily hunting tag.

(D) Turkey, furbearer and quail hunting are prohibited except during managed hunts.

(18) On Bois D'Arc Conservation Area and White River Trace Conservation Area, quail and dove hunting are permitted only until 1:00 p.m. daily. During the first seven (7) days of dove season, doves may be taken in assigned areas only by holders of a valid area daily hunting tag. Quail may be taken only by holders of a valid area daily hunting tag until the area is posted closed based on harvest surveys.

(19) On Lake Paho Conservation Area, doves may be hunted only from one-half (1/2) hour before sunrise to 1:00 p.m. during the statewide season.

(20) On Eagle Bluffs Conservation Area, B. K. Leach Memorial Conservation Area, William R. Logan Conservation Area and William G. and Erma Parke White Memorial Wildlife Area, doves may be hunted only in assigned areas from an assigned shooting station on designated days from 1:00 p.m. to 5:00 p.m. during the September portion of statewide season by holders of a valid area daily hunting tag.

(21) On Marais Temps Clair Conservation Area:

(A) Doves, rails and snipe may be hunted only during that part of the season which falls prior to October 15 by holders of a valid area daily hunting tag, except in areas closed by posting. Dove hunting is permitted only until 1:00 p.m. daily.

(B) Deer and rabbits may be hunted only from the end of the area's prescribed duck season through the end of the statewide seasons by holders of a valid area daily hunting tag, except in areas closed by posting.

(C) Quail, pheasant, woodcock, squirrel, groundhog, furbearer, turkey and crow hunting is prohibited.

(22) On Robert E. Talbot Conservation Area, quail may be taken only by holders of a valid area daily hunting tag.

(23) Quail hunting is permitted only until 1:00 p.m. daily from November 1 through December 15 on the following department areas:

- (A) Capps Creek Conservation Area
- (B) Reform Conservation Area
- (C) Dr. O. E. and Eloise Sloan Conservation Area
- (D) Robert E. Talbot Conservation Area
- (E) Whetstone Creek Conservation Area

(24) On Columbia Bottom Conservation Area and Saint Stanislaus Conservation Area, hunting is permitted only during managed hunts or by holders of a valid area daily hunting tag.

(25) On Lake Girardeau Conservation Area, hunting is permitted only from November 1 through April 1.

(26) On Settle's Ford Conservation Area, hunting of wildlife other than waterfowl is prohibited in designated waterfowl hunting areas from October 15 through the end of the prescribed Canada goose season.

(27) Hunting of wildlife other than waterfowl is prohibited, except in designated areas, from October 15 through the prescribed waterfowl season on the following department areas:

- (A) Bob Brown Conservation Area
- (B) Columbia Bottom Conservation Area
- (C) Coon Island Conservation Area
- (D) Duck Creek Conservation Area
- (E) Eagle Bluffs Conservation Area
- (F) Fountain Grove Conservation Area
- (G) Grand Pass Conservation Area
- (H) B. K. Leach Memorial Conservation Area
- (I) Marais Temps Clair Conservation Area
- (J) Montrose Conservation Area
- (K) Nodaway Valley Conservation Area
- (L) Otter Slough Conservation Area
- (M) Schell-Osage Conservation Area
- (N) Ted Shanks Conservation Area
- (O) Ten Mile Pond Conservation Area

(28) On the portion of Nodaway River bordered by the portion of Nodaway Valley Conservation Area which has been designated a waterfowl refuge, all hunting is prohibited from October 15 through the end of the prescribed waterfowl season.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 11—Wildlife Code: Special Regulations for Department Areas

PROPOSED RULE

3 CSR 10-11.182 Deer Hunting

PURPOSE: This rule establishes provisions for deer hunting on department areas.

(1) Deer may be hunted only during the statewide archery season and the December portion of the firearms season on the department areas listed below. Statewide methods and limits apply.

- (A) Belcher Branch Lake Conservation Area
- (B) Bethel Prairie Conservation Area
- (C) Big Creek Conservation Area
- (D) Bilby Ranch Lake Conservation Area
- (E) Buffalo Wallow Prairie Conservation Area
- (F) Bushwhacker Lake Conservation Area
- (G) Clear Creek Conservation Area
- (H) Comstock Prairie Conservation Area
- (I) Crooked River Conservation Area
- (J) Lester R. Davis Memorial Forest
- (K) Four Rivers Conservation Area (Unit 4)
- (L) Grandfather Prairie Conservation Area
- (M) Harmony Mission Lake Conservation Area
- (N) Hite Prairie Conservation Area
- (O) King Lake Conservation Area
- (P) Little Compton Lake Conservation Area
- (Q) Loutre Lick Access
- (R) Jamerson C. McCormack Conservation Area
- (S) Moore's Mill Access
- (T) Nodaway County Community Lake
- (U) Osage Prairie Conservation Area
- (V) Pa Sole Prairie Conservation Area
- (W) Paint Brush Prairie Conservation Area
- (X) Peabody Conservation Area
- (Y) Pigeon Hill Conservation Area
- (Z) Pony Express Lake Conservation Area
- (AA) Punkin Center Access
- (BB) Edward B. and Marie O. Risch Conservation Area
- (CC) Rocky Fork Lakes Conservation Area
- (DD) Sears Community Lake
- (EE) Settle's Ford Conservation Area
- (FF) Seven Island Conservation Area
- (GG) Shawnee Trail Conservation Area
- (HH) Stony Point Prairie Conservation Area
- (II) Taberville Prairie Conservation Area
- (JJ) Twenty-Five Mile Prairie Conservation Area
- (KK) Frank E. Wagner Conservation Area
- (LL) Wah-Kon-Tah Prairie (portion north of Highway 82)
- (MM) White River Trace Conservation Area
- (NN) Worth County Community Lake

(2) Deer may be hunted, under statewide seasons and limits, only by archery methods on the following department areas:

- (A) Wilbur Allen Memorial Conservation Area
- (B) Beaver Creek Conservation Area
- (C) Bennett Spring Access
- (D) Blind Pony Lake Conservation Area
- (E) Blue Lick Conservation Area
- (F) Bob Brown Conservation Area
- (G) Bois D'Arc Conservation Area
- (H) Boston Ferry Conservation Area
- (I) Branch Towersite
- (J) Brickley Hollow Access

- (K) Jim Bridger Urban Conservation Area
 - (L) Catawissa Conservation Area
 - (M) Charity Access
 - (N) Coffin Cave Conservation Area
 - (O) Coon Island Conservation Area
 - (P) Cooper Hill Conservation Area
 - (Q) Corkwood Conservation Area
 - (R) Crooked Creek Conservation Area
 - (S) Cuivre Island Conservation Area (mainland portion)
 - (T) Diamond Grove Prairie Conservation Area
 - (U) Dorris Creek Prairie Conservation Area
 - (V) Dorsett Hill Prairie Conservation Area
 - (W) Drury-Mincy Conservation Area
 - (X) Drywood Conservation Area
 - (Y) Duck Creek Conservation Area
 - (Z) Arthur Dupree Memorial Conservation Area
 - (AA) Eagle Bluffs Conservation Area
 - (BB) Earthquake Hollow Conservation Area
 - (CC) Peter A. Eck Conservation Area
 - (DD) Edmonson Access
 - (EE) Elrod Mill Access
 - (FF) Ferguson-Herold Conservation Area
 - (GG) Nannie B. Floyd Memorial Conservation Area
 - (HH) Fort Leonard Wood Towersite
 - (II) Fountain Grove Conservation Area
 - (JJ) Four Rivers Conservation Area (Unit 1, Unit 2, Unit 3)
 - (KK) Frisbee Cutoff Access
 - (LL) Larry R. Gale Access
 - (MM) Gipsy Towersite
 - (NN) Grand Bluffs Conservation Area
 - (OO) Grand Pass Conservation Area
 - (PP) Grassy Towersite
 - (QQ) Hadorn Bridge Access
 - (RR) Hi Lonesome Prairie Conservation Area
 - (SS) Hornersville Swamp Conservation Area
 - (TT) Horse Creek Prairie Conservation Area
 - (UU) Howell Island Conservation Area
 - (VV) Hyer Woods Conservation Area
 - (WW) Indigo Prairie Conservation Area
 - (XX) Jamesport Community Lake
 - (YY) Anthony and Beatrice Kendzora Conservation Area
 - (ZZ) Kessler Memorial Wildlife Area
 - (AAA) Wilford V. and Anna C. Kneib Memorial Conservation Area
 - (BBB) Lake Girardeau Conservation Area
 - (CCC) B. K. Leach Memorial Conservation Area
 - (DDD) Little Bean Marsh Conservation Area
 - (EEE) Little Dixie Lake Conservation Area
 - (FFF) Little Prairie Conservation Area
 - (GGG) Little River Conservation Area
 - (HHH) Caroline Sheridan Logan Memorial Wildlife Area
 - (III) Lon Sanders Canyon Conservation Area
 - (JJJ) Lone Jack Lake Conservation Area
 - (KKK) Lost Valley Fish Hatchery
 - (LLL) Alice Ahart Mansfield Conservation Area
 - (MMM) Marais Temps Clair Conservation Area
 - (NNN) Merrill Horse Access
 - (OOO) Mockingbird Hill Access
 - (PPP) Nodaway Valley Conservation Area
 - (QQQ) Monegaw Prairie Conservation Area
 - (RRR) Mo-No-I Prairie Conservation Area
 - (SSS) Mon-Shon Prairie Conservation Area
 - (TTT) Montrose Conservation Area
 - (UUU) Mound View Access
 - (VVV) Old Town Access
 - (WWW) Pacific Palisades Conservation Area
 - (XXX) Guy B. Park Conservation Area
 - (YYY) Parma Woods Range and Training Center (north portion)
 - (ZZZ) Pilot Knob Conservation Area
 - (AAAA) Platte Falls Conservation Area
 - (BBBB) Prairie Slough Conservation Area
 - (CCCC) J. Thad Ray Memorial Wildlife Area
 - (DDDD) Redwing Prairie Conservation Area
 - (EEEE) Reform Conservation Area
 - (FFFF) Rocky Barrens Conservation Area
 - (GGGG) Rocky Mount Towersite
 - (HHHH) Schell-Osage Conservation Area
 - (IIII) Ted Shanks Conservation Area
 - (JJJJ) Sky Prairie Conservation Area
 - (KKKK) Dr. O. E. and Eloise Sloan Conservation Area
 - (LLLL) Sni-A-Bar Conservation Area
 - (MMMM) Sterling Price Community Lake
 - (NNNN) Sunbridge Hills Conservation Area
 - (OOOO) Swift Ditch Access
 - (PPPP) Ten Mile Pond Conservation Area
 - (QQQQ) Tipton Ford Access
 - (RRRR) Treaty Line Prairie Conservation Area
 - (SSSS) Upper Mississippi Conservation Area (Bay Island Unit)
 - (TTTT) Upper Mississippi Conservation Area (Dresser Island Unit)
 - (UUUU) Valley View Glades Natural Area
 - (VVVV) Archie and Gracie Vanderhoef Memorial State Forest
 - (WWWW) Victoria Glades Conservation Area
 - (XXXX) Vonaventure Memorial Forest and Wildlife Area
 - (YYYY) Warbler Woods Conservation Area
 - (ZZZZ) Henry Jackson Waters and C. B. Moss Memorial Wildlife Area
 - (AAAAA) George O. White State Forest Nursery
 - (BBBBB) Wolf Bayou Conservation Area
 - (CCCCC) Yellow Creek Conservation Area
 - (DDDDD) Young Conservation Area
- (3) During the November and December portions of the firearms deer hunting season, only antlered deer may be taken or possessed on the department areas listed below. Antlerless deer may not be taken on a firearms deer hunting permit.
- (A) Apple Creek Conservation Area
 - (B) Buffalo Hills Natural Area
 - (C) Busiek State Forest and Wildlife Area
 - (D) Compton Hollow Conservation Area
 - (E) Daniel Boone Conservation Area
 - (F) Danville Conservation Area (Baldwin, Schulze and Thornhill Annexes)
 - (G) Davisdale Conservation Area
 - (H) General Watkins Conservation Area
 - (I) Indian Trail Conservation Area
 - (J) J. N. "Turkey" Kearn Memorial Wildlife Area
 - (K) Lamine River Conservation Area
 - (L) Little Indian Creek Conservation Area
 - (M) Little Lost Creek Conservation Area
 - (N) Long Ridge Conservation Area
 - (O) Maintz Wildlife Preserve
 - (P) Ralph and Martha Perry Memorial Conservation Area
 - (Q) Pleasant Hope Conservation Area
 - (R) Ranacker Conservation Area
 - (S) Red Rock Landing Conservation Area
 - (T) Frank Reifsnider State Forest
 - (U) River 'Round Conservation Area
 - (V) Seventy-Six Conservation Area
 - (W) Robert E. Talbot Conservation Area
- AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.*

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.183 Managed Deer Hunts

PURPOSE: This rule establishes provisions for managed deer hunts on department areas.

(1) Deer may be hunted only during managed hunts on the department areas listed below. Participants of managed hunts must possess a Managed Deer Hunting Permit.

- (A) Burr Oak Woods Conservation Area
- (B) August A. Busch Memorial Conservation Area
- (C) Caney Mountain Conservation Area (fenced portion)
- (D) Columbia Bottom Conservation Area
- (E) Forest 44 Conservation Area
- (F) Charles W. Green Conservation Area
- (G) Otter Slough Conservation Area
- (H) Peck Ranch Conservation Area (fenced portion)
- (I) Pelican Island Natural Area
- (J) Prairie Fork Conservation Area
- (K) James A. Reed Memorial Wildlife Area
- (L) Rockwoods Range
- (M) Saint Stanislaus Conservation Area (County Park)
- (N) Weldon Spring Conservation Area
- (O) Whetstone Creek Conservation Area

(2) Managed deer hunts, with Conservation Commission approval, may be held on any department area. Participants of managed hunts must possess a Managed Deer Hunting Permit.

(3) Persons hunting during a managed deer hunt, except archery-only hunts, shall wear a cap or hat, and a shirt, vest or coat having the outermost color commonly known as daylight fluorescent orange, blaze orange or hunter orange, which shall be plainly visible from all sides while being worn. Camouflage orange garments do not meet this requirement.

(4) During managed deer hunts, historic weapons shall include only longbows, crossbows and muzzleloading or cap-and-ball firearms not smaller than forty caliber (.40) capable of loading only from the muzzle and firing a single projectile at one (1) discharge.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.186 Waterfowl Hunting

PURPOSE: This rule establishes provisions for waterfowl hunting on department areas.

(1) Waterfowl hunting is permitted on department areas except as further restricted in this chapter. Statewide permits, seasons, methods and limits apply unless otherwise provided in this chapter.

(2) Waterfowl hunting is prohibited on the following department areas:

- (A) Blind Pony Lake Conservation Area
- (B) Cooley Lake Conservation Area
- (C) Hunnewell Lake Conservation Area
- (D) Lake Girardeau Conservation Area
- (E) Lake Paho Conservation Area
- (F) Lone Jack Lake Conservation Area

(3) Waterfowl hunting is prohibited after 1:00 p.m. on designated portions of the following department areas:

- (A) Amarugia Highlands Conservation Area
- (B) Bob Brown Conservation Area
- (C) Columbia Bottom Conservation Area
- (D) Coon Island Conservation Area
- (E) Duck Creek Conservation Area
- (F) Eagle Bluffs Conservation Area
- (G) Fountain Grove Conservation Area
- (H) Grand Pass Conservation Area
- (I) B. K. Leach Memorial Conservation Area
- (J) Little River Conservation Area
- (K) Long Branch Lake Management Lands
- (L) Marais Temps Clair Conservation Area
- (M) Nodaway Valley Conservation Area
- (N) Otter Slough Conservation Area
- (O) James A. Reed Memorial Wildlife Area
- (P) Schell-Osage Conservation Area
- (Q) Ted Shanks Conservation Area
- (R) Ten Mile Pond Conservation Area
- (S) Yellow Creek Conservation Area

(4) Waterfowl may be taken on the department areas listed below only by holders of a valid area daily hunting tag and only from a blind or in a designated area, except that hunters may retrieve dead birds and pursue and shoot downed cripples outside the designated area. Waterfowl hunters must check out immediately after the close of their hunting trip and prior to processing birds. These department areas are closed to waterfowl hunting on December 25. Nonhunters are prohibited within the shooting areas during the waterfowl hunting season unless they are members of and remain

with a party authorized to use the area, except that portions of these department areas may be open to fishing during all or part of the waterfowl season.

- (A) Bob Brown Conservation Area
- (B) Columbia Bottom Conservation Area
- (C) Coon Island Conservation Area
- (D) Duck Creek Conservation Area
- (E) Eagle Bluffs Conservation Area
- (F) Fountain Grove Conservation Area
- (G) Grand Pass Conservation Area
- (H) B. K. Leach Memorial Conservation Area
- (I) Marais Temps Clair Conservation Area
- (J) Montrose Conservation Area
- (K) Nodaway Valley Conservation Area
- (L) Otter Slough Conservation Area
- (M) Schell-Osage Conservation Area
- (N) Ted Shanks Conservation Area
- (O) Ten Mile Pond Conservation Area

(5) On Dehn Marsh and Sac River Marsh of Truman Reservoir Management Lands, waterfowl hunting is prohibited.

(6) On Thomas Hill Reservoir, waterfowl hunting is prohibited on the lands and waters of the main arm between Highway T and county road 462, three and one-half (3 1/2) miles north of Highway T from October 15 through the close of the waterfowl season.

(7) On Settle's Ford Conservation Area, waterfowl hunters must preregister and check out daily at designated hunter record boxes prior to and immediately after completing the hunt. Nonhunters are prohibited within the waterfowl hunting areas unless they are members of and remain with a party authorized to use the area.

(8) On Little River Conservation Area, waterfowl hunting is permitted only during managed waterfowl hunts or by holders of a valid area daily hunting tag.

(9) On Four Rivers Conservation Area, in designated waterfowl hunting areas, waterfowl hunters must register before hunting and check out daily at area headquarters. On the remaining portions of the area, waterfowl hunters must register before hunting at designated hunter record boxes and check out immediately after completion of the hunt. In designated waterfowl hunting areas, hunting is closed on December 25. Nonhunters are prohibited within the designated waterfowl hunting areas unless they are members of and remain with a party authorized to use the area.

(10) On James A. Reed Memorial Wildlife Area, waterfowl may be hunted by reservation only by holders of a valid area daily hunting tag on designated days and only in designated areas, except that hunters may retrieve dead birds and shoot downed cripples outside designated areas.

(11) On Marais Temps Clair Conservation Area, waterfowl hunting is permitted only on Friday, Saturday, Sunday and Monday during the prescribed waterfowl hunting season, except the area is open daily until 1:00 p.m. for teal hunting during the early season.

(12) On August A. Busch Memorial Conservation Area and Charles W. Green Conservation Area, waterfowl may be hunted only during managed waterfowl hunts.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.187 Trapping

PURPOSE: This rule establishes provisions for trapping on department areas.

Trapping on department areas is allowed only with a special use permit issued by the area manager. Trappers must comply with Chapter 8 of the Wildlife Code.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.200 Fishing, General Provisions and Seasons

PURPOSE: This rule establishes provisions for fishing on department areas.

(1) Fishing is permitted on department areas, except as further restricted by signs, area brochures or this chapter. Statewide permits, seasons, methods and limits apply unless otherwise provided in this chapter.

(2) Fishing is prohibited on the following department areas or individually named lakes:

- (A) Allred Lake Natural Area

- (B) Rudolf Bennitt Lake (Rudolf Bennitt Conservation Area)
- (C) Robert L. Blatner Conservation Area
- (D) Burr Oak Woods Conservation Area
- (E) Gama Grass Prairie Conservation Area
- (F) Gay Feather Prairie Conservation Area
- (G) Charles W. Green Conservation Area
- (H) Little Osage Prairie
- (I) Chloe Lowry Marsh Natural Area
- (J) Mon-Shon Prairie Conservation Area
- (K) Mount Vernon Prairie
- (L) Niawathe Prairie Conservation Area
- (M) Pawhuska Prairie
- (N) Powder Valley Conservation Nature Center
- (O) Springfield Conservation Nature Center
- (P) Wah-Kon-Tah Prairie (portion south of Highway 82)
- (Q) Wah-Sha-She Prairie
- (R) Henry Jackson Waters and C. B. Moss Memorial Wildlife Area
- (S) Mark Youngdahl Urban Conservation Area

(3) On Jerry J. Presley Conservation Education Center, fishing is permitted only with a special use permit.

(4) On Prairie Lake (Weldon Spring Conservation Area), fishing is prohibited during the area's prescribed waterfowl hunting season.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 11—Wildlife Code: Special Regulations for Department Areas

PROPOSED RULE

3 CSR 10-11.205 Fishing, Methods and Hours

PURPOSE: This rule establishes provisions for fishing methods and hours of restricted public use on department areas.

(1) On lakes and ponds, fish may be taken only with pole and line and not more than three (3) poles may be used by one (1) person at any time, except as otherwise provided in this chapter.

(A) Fish may be taken with limb lines and bank lines on the following department areas or individually named lakes:

1. Montrose Conservation Area
2. Schell-Osage Conservation Area
3. Ted Shanks Conservation Area
4. Thomas Hill Reservoir

(B) Carp, buffalo, suckers and gar may be taken by gig, long-bow or crossbow during statewide seasons on the following department areas or individually named lakes:

1. Atlanta Conservation Area
2. Bismarck Conservation Area
3. Blackjack Access
4. Bob Brown Conservation Area
5. Cooley Lake Conservation Area
6. Deer Ridge Conservation Area
7. Derooin Bend Conservation Area
8. Duck Creek Conservation Area
9. Eagle Bluffs Conservation Area
10. Connor O. Fewel Conservation Area
11. Fountain Grove Conservation Area
12. Four Rivers Conservation Area
13. Franklin Island Conservation Area
14. Grand Pass Conservation Area
15. Hunnewell Lake Conservation Area
16. King Lake Conservation Area
17. Kings Prairie Access
18. Lake Paho Conservation Area
19. Lamine River Conservation Area
20. B. K. Leach Memorial Conservation Area
21. Limpp Community Lake
22. Little Compton Lake Conservation Area
23. Locust Creek Conservation Area
24. Manito Lake Conservation Area
25. Marais Temps Clair Conservation Area
26. Nodaway Valley Conservation Area
27. Otter Lake (Otter Slough Conservation Area)
28. Peabody Conservation Area
29. Ralph and Martha Perry Memorial Conservation Area
30. Haysler A. Poague Conservation Area
31. Pony Express Lake Conservation Area
32. Rebel's Cove Conservation Area
33. Schell-Osage Conservation Area
34. Henry Sever Lake Conservation Area
35. Settle's Ford Conservation Area
36. Ted Shanks Conservation Area
37. H. F. Thurnau Conservation Area
38. Truman Reservoir Management Lands
39. Worth County Community Lake
40. Worthwine Island Conservation Area

(2) On Conservation Commission Headquarters, fishing is permitted only on designated waters from 6:00 a.m. to 9:00 p.m., April 1 through October 31 and from 6:00 a.m. to 6:00 p.m., November 1 through March 31. All fish must be returned to the water unharmed immediately after being caught.

(3) On James A. Reed Memorial Wildlife Area:

(A) Fishing is permitted only on designated waters from 6:00 a.m. to 9:00 p.m., April 1 through September 30 and from 6:00 a.m. to 6:00 p.m., October 1 through March 31.

(B) On Coot Lake, from November 1 through February 19, only flies, artificial lures and soft plastic baits (unscented) may be used and fish must be returned to the water unharmed immediately after being caught.

(C) On Honker Pond, fishing is restricted to persons twelve (12) years of age or younger and not more than one (1) pole and line may be used by one (1) person at a time.

(4) On August A. Busch Memorial Conservation Area, fishing is permitted only on designated waters from 6:00 a.m. to 9:00 p.m. daily.

(5) On Ronald and Maude Hartell Conservation Area, fishing is permitted only on designated waters. Only flies, artificial lures and soft plastic baits (unscented) may be used and fish must be

returned to the water unharmed immediately after being caught except by holders of a special use permit.

(6) On Lost Valley Fish Hatchery, fishing is permitted only on designated waters from 9:00 a.m. to 4:00 p.m. daily. Fishing is restricted to persons twelve (12) years of age or younger and not more than one (1) pole and line may be used by one (1) person at a time.

(7) On Binder Community Lake, fishing is permitted only from 3:00 a.m. to 11:00 p.m. daily.

(8) Seining or trapping live bait, including tadpoles, is prohibited on all lakes and ponds, and streams and their discharge channels in Mule Shoe Conservation Area, except as otherwise provided in this chapter.

(A) Seining or trapping live bait, including tadpoles, in compliance with 3 CSR 10-6.605 is permitted on designated lakes and ponds on Bob Brown Conservation Area, Fountain Grove Conservation Area, Grand Pass Conservation Area and Nodaway Valley Conservation Area.

(B) On designated waters on Schell-Osage Conservation Area, gizzard shad may be taken by live bait methods designated in 3 CSR 10-6.605.

(9) Salvage seining of other fish as designated in 3 CSR 10-6.550 may be permitted seasonally for personal use with a special use permit.

(10) On Wire Road Conservation Area, other fish as designated in 3 CSR 10-6.550 may be taken by snagging, snaring, or grabbing from March 15 through May 15.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.210 Fishing, Daily and Possession Limits

PURPOSE: This rule establishes provisions for daily and possession limits on department areas.

(1) Statewide daily and possession limits shall apply for all species, except that: In lakes and ponds, daily limits are catfish in the aggregate (channel catfish, blue catfish, flathead catfish), four (4); black bass, six (6); crappie, thirty (30); and all other fish, statewide limits, but not to exceed twenty (20) in the aggregate;

except as otherwise provided in this chapter.

(2) The daily limit for black bass shall be two (2) on the following department areas or individually named lakes:

- (A) Amarugia Highlands Conservation Area
- (B) Atkinson Lake (Schell-Osage Conservation Area)
- (C) Baltimore Bend Conservation Area
- (D) Belcher Branch Lake Conservation Area
- (E) Bellefontaine Conservation Area
- (F) August A. Busch Memorial Conservation Area
- (G) Robert G. DeLaney Lake Conservation Area
- (H) Lake Paho Conservation Area
- (I) Lone Jack Lake Conservation Area
- (J) Manito Lake Conservation Area
- (K) Maple Leaf Lake Conservation Area
- (L) Port Hudson Lake Conservation Area
- (M) James A. Reed Memorial Wildlife Area
- (N) Schell Lake (Schell-Osage Conservation Area)
- (O) Weldon Spring Conservation Area

(3) On Blind Pony Lake Conservation Area, the daily limit for black bass shall be one (1).

(4) On Bellefontaine Conservation Area, Che-Ru Lake (Fountain Grove Conservation Area), Hazel Hill Lake and Schell-Osage Conservation Area, the daily limit for crappie shall be fifteen (15).

(5) On August A. Busch Memorial Conservation Area and James A. Reed Memorial Wildlife Area, the daily limit for white bass, striped bass and their hybrids in the aggregate shall be four (4); on James A. Reed Memorial Wildlife Area, the aggregate daily limit for all other fish shall be ten (10).

(6) At Tobacco Hills Lake (Guy B. Park Conservation Area), the daily limit for bluegill shall be eight (8).

(7) On Duck Creek Conservation Area, statewide limits shall apply for other fish as designated in 3 CSR 10-6.550.

(8) On Bellefontaine Conservation Area and Port Hudson Lake Conservation Area, the daily limit for other fish as designated in 3 CSR 10-6.550 shall be ten (10) in the aggregate.

(9) On Jerry J. Presley Conservation Education Center, except as otherwise provided on the special use permit, fish must be returned to the water unharmed immediately after being caught.

(10) On Lost Valley Fish Hatchery, the daily limit for all fish shall be two (2) in the aggregate. No person shall continue to fish for any species after having two (2) fish in possession.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED RULE

3 CSR 10-11.215 Fishing, Length Limits

PURPOSE: This rule establishes provisions for length limits on department areas.

(1) Statewide length limits shall apply for all species, except as further restricted in this chapter.

(2) On lakes and ponds, except as listed below, black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught.

(A) Black bass less than twelve inches (12") total length must be returned to the water unharmed immediately after being caught on the following department areas or individually named lakes:

1. Bois D'Arc Conservation Area
2. Malta Bend Community Lake
3. Painted Rock Conservation Area
4. Peabody Conservation Area
5. Haysler A. Poague Conservation Area
6. Robert E. Talbot Conservation Area

(B) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following department areas or individually named lakes:

1. Amarugia Highlands Conservation Area
2. Atkinson Lake (Schell-Osage Conservation Area)
3. Baltimore Bend Conservation Area
4. Bilby Ranch Lake Conservation Area
5. Binder Community Lake
6. Buffalo Bill Lake (Pony Express Lake Conservation Area)
7. August A. Busch Memorial Conservation Area (except

Lakes 33 and 35)

8. Che-Ru Lake (Fountain Grove Conservation Area)
9. Jerry P. Combs Lake (Little River Conservation Area)
10. Deer Ridge Lake (Deer Ridge Conservation Area)
11. General Watkins Conservation Area
12. Jamesport Community Lake
13. Lipp Community Lake
14. Little Compton Lake Conservation Area
15. Lone Jack Lake Conservation Area
16. Maple Leaf Lake Conservation Area
17. Nodaway County Community Lake
18. Perry County Community Lake
19. Pony Express Lake (Pony Express Lake Conservation

Area)

20. Ray County Community Lake
21. James A. Reed Memorial Wildlife Area
22. Rinquelin Trail Community Lake
23. Schell Lake (Schell-Osage Conservation Area)
24. Ted Shanks Conservation Area
25. Tobacco Hills Lake (Guy B. Park Conservation Area)
26. Union Ridge Lake (Union Ridge Conservation Area)
27. Vandalia Community Lake
28. Weldon Spring Conservation Area
29. Worth County Community Lake

(C) Black bass less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on the following department areas or individually named lakes:

1. Bellefontaine Conservation Area
2. Lakes 33 and 35 (August A. Busch Memorial Conservation Area)

3. Belcher Branch Lake Conservation Area
4. Robert G. Delaney Lake Conservation Area
5. Lake Paho Conservation Area
6. Manito Lake Conservation Area
7. Port Hudson Lake Conservation Area

(D) On Blind Pony Lake Conservation Area, black bass less than twenty inches (20") total length must be returned to the water unharmed immediately after being caught.

(E) On Hazel Hill Lake, black bass more than fourteen inches (14") but less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught.

(3) On August A. Busch Memorial Conservation Area and James A. Reed Memorial Wildlife Area, white bass, striped bass and their hybrids less than twenty inches (20") total length must be returned to the water unharmed immediately after being caught.

(4) On Blind Pony Lake Conservation Area, Hazel Hill Lake and Manito Lake Conservation Area, channel catfish and blue catfish less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught.

(5) On August A. Busch Memorial Conservation Area, Che-Ru Lake (Fountain Grove Conservation Area), James A. Reed Memorial Wildlife Area and Schell-Osage Conservation Area, flathead catfish less than twenty-four inches (24") total length must be returned to the water unharmed immediately after being caught.

(6) On Tobacco Hills Lake (Guy B. Park Conservation Area), bluegill less than eight inches (8") total length must be returned to the water unharmed immediately after being caught.

(7) On Lake Girardeau Conservation Area and Henry Sever Lake Conservation Area, muskellunge less than forty-two inches (42") total length must be returned to the water unharmed immediately after being caught.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Definitions**

PROPOSED RESCISSION

3 CSR 10-11.805 Definitions. This rule relates to words and terms used in the Code.

PURPOSE: This rule is being rescinded and readopted to reflect changes in format to the Missouri Wildlife Code.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. Amended: Filed

June 3, 1976, effective Sept. 12, 1976. Amended: Filed July 13, 1976, effective Dec. 31, 1976. Amended: Filed July 20, 1977, effective Jan. 1, 1978. Amended: Filed April 20, 1978, effective Aug. 15, 1978. Amended: Filed Aug. 4, 1978, effective Jan. 1, 1979. Amended: Filed July 30, 1979, effective Jan. 1, 1980. Amended: Filed June 27, 1980, effective Oct. 11, 1980. Amended: Filed April 22, 1981, effective Aug. 14, 1981. Amended: Filed June 1, 1981, effective Aug. 14, 1981. Amended: Filed July 31, 1981, effective Jan. 1, 1982. Amended: Filed July 27, 1982, effective Jan. 1, 1983. Amended: Filed Aug. 1, 1983, effective Jan. 1, 1984. Emergency amendment filed Feb. 24, 1984, effective March 5, 1984, expired June 15, 1984. Amended: Filed Aug. 6, 1985, effective Jan. 1, 1986. Amended: Filed Aug. 7, 1986, effective Jan. 1, 1987. Amended: Filed Aug. 9, 1988, effective Jan. 1, 1989. Amended: Filed Aug. 8, 1989, effective Jan. 1, 1990. Amended: Filed May 10, 1990, effective Jan. 1, 1991. Amended: Filed May 10, 1991, effective Jan. 1, 1992. Amended: Filed Oct. 11, 1990, effective July 1, 1992. Amended: Filed June 2, 1992, effective Jan. 15, 1993. Amended: Filed June 9, 1993, effective Jan. 31, 1994. Amended: Filed April 27, 1994, effective Jan. 1, 1995. Amended: Filed July 6, 1994, effective Jan. 1, 1995. Amended: Filed Jan. 30, 1995, effective June 30, 1995. Amended: Filed May 30, 1995, effective Jan. 1, 1996. Amended: Filed June 20, 1995, effective Jan. 1, 1996. Amended: Filed June 11, 1997, effective March 1, 1998. Amended: Filed June 11, 1998, effective March 1, 1999. Amended: Filed May 10, 1999, effective March 1, 2000. Amended: Filed April 24, 2000, effective March 1, 2001. Rescinded: Filed April 30, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.101 Title; Authority

PURPOSE: This rule establishes cooperative special provisions for public use activities on areas owned by other entities.

The special regulations in this chapter apply on lands and waters managed by the department under cooperative agreement.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.105 Wildlife Refuges

PURPOSE: This rule establishes provisions for the designation of private property and property owned by government agencies other than the department as wildlife refuges.

(1) The Conservation Commission may establish wildlife refuges and special regulations on state, federal and private lands in cooperation with administering authorities for those lands. No wildlife of any kind may be molested, pursued, hunted or taken on any land posted as a refuge, except under conditions the commission may permit and declare by regulation. However, other government agencies may permit hunting and fishing under statewide regulations or under more restrictive provisions on refuges under their administration.

(2) State parks are designated as wildlife refuges.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.110 Use of Boats and Motors

PURPOSE: This rule establishes provisions for use of boats and motors on areas under management agreement with the department.

(1) Only boats with electric motors may be used on areas managed by the department under cooperative agreement unless otherwise provided in this rule.

(2) Boats are prohibited on the following areas:

- (A) Bridgeton (Kiwanis Lake)
- (B) California (Proctor Park Lake)
- (C) Cole County (Jaycee Park Lake)
- (D) Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods)
- (E) Confederate Memorial State Historic Site lakes
- (F) Dexter City Lake
- (G) Farmington City Lake
- (H) Jackson (Rotary Park Lake)
- (I) Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Fleming Pond, Scherer Lake, Wyatt Lake)
- (J) James Foundation (Scioto Lake)
- (K) Jefferson City (McKay Park Lake)
- (L) Mexico (Kiwanis Lake)
- (M) Mineral Area College (Quarry Pond)
- (N) Mount Vernon (Williams Creek Park Lake)
- (O) Overland (Wild Acres Park Lake)
- (P) Potosi (Roger Bilderback Lake)
- (Q) Rolla (Schuman Park Lake)
- (R) St. Louis County (Bee Tree Lake)
- (S) Sedalia (Clover Dell Park Lake, Liberty Park Pond)
- (T) University of Missouri (South Farm R-1 Lake)

(3) On the portion of Melvin Price Locks and Dam Pool 26, which has been designated a waterfowl refuge, boating is prohibited where posted from October 15 through April 15.

(4) Only boats without motors may be used on Columbia (Twin Lake).

(5) Outboard motors not in excess of ten (10) horsepower may be used on the following areas:

- (A) Bethany (North Bethany City Reservoir)
- (B) Fayette (D.C. Rogers Lake, Fayette City Lake No. 2)
- (C) LaPlata City Lake
- (D) Macon City Lake
- (E) Moberly (Rothwell Park Lake, Water Works Lake)
- (F) Odessa City Lake
- (G) Springfield City Utilities (Lake Springfield)
- (H) Unionville City Lake
- (I) Wakonda State Park (Agate Lake and Wakonda Lake)
- (J) Watkins Mill State Park Lake

(6) Outboard motors in excess of ten (10) horsepower may be used but must be operated at slow, no-wake speed on the following areas:

- (A) Brookfield City Lake
- (B) Cameron (Grindstone Reservoir)
- (C) Fredericktown City Lake
- (D) Little River Drainage District (Headwaters Diversion Channel)
- (E) Higginsville City Lake
- (F) Holden City Lake
- (G) Iron Mountain City Lake
- (H) LaBelle City Lake
- (I) Marceline City Lake
- (J) Mark Twain National Forest (Council Bluff Lake)
- (K) Memphis (Lake Showme)
- (L) Milan (Elmwood Lake)
- (M) Monroe (Route J Reservoir)

(7) Outboard motors not in excess of forty (40) horsepower may be used on Springfield City Utilities (Fellows Lake).

(8) Outboard motors of any size may be used on Concordia (Edwin A. Pape Lake) but must be operated at slow, no-wake speed.

(9) No boat motor restrictions apply on Harrison County Lake and Maryville (Mozingo Lake).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

PROPOSED RULE

3 CSR 10-12.115 Bullfrogs and Green Frogs

PURPOSE: This rule establishes provisions for harvesting bullfrogs and green frogs on areas under management agreement with the department.

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, gig, longbow, snagging, snaring, grabbing or pole and line except as further restricted by this chapter.

(A) Longbows may not be used to take frogs on the following areas:

1. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lake)
2. Farmington City Lake
3. Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)
4. James Foundation (Scioto Lake)
5. Mark Twain National Forest (department managed portions)
6. Mexico (Lakeview Lake, Kiwanis Lake)
7. Moberly (Rothwell Park Lake, Water Works Lake)

(B) Only pole and line may be used to take frogs on the following areas:

1. Bridgeton (Kiwanis Lake)
2. Butler City Lake
3. Kirkwood (Walker Lake)
4. Mineral Area College (Quarry Pond)
5. Overland (Wild Acres Park Lake)
6. Potosi (Roger Bilderback Lake)
7. St. Louis County (Bee Tree Lake, Creve Coeur Lake, Simpson Lake, Spanish Lake, Sunfish Lake)
8. Sedalia (Clover Dell Park Lake, Liberty Park Pond)
9. Warrensburg (Lion's Lake)
10. Wentzville (Community Club Lake)
11. Windsor (Farmington Park Lake)

(C) The taking of frogs is prohibited on the following areas:

1. Thomas S. Baskett Wildlife Research and Education Center, except on Ashland Lake
2. Bennett Spring State Park
3. Mark Twain National Forest (Carmen Springs Management Area)

4. Maramec Spring Trout Park
5. Montauk State Park
6. Roaring River State Park

(2) Firearms may not be used to take bullfrogs and green frogs.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.125 Hunting and Trapping

PURPOSE: This rule establishes provisions for hunting and trapping on areas under management agreement with the department.

(1) Hunting, under statewide permits, seasons, methods and limits, is permitted except as further restricted in this chapter.

(A) Hunting may be further restricted on designated portions of areas which include shooting ranges, residences, work areas, campgrounds and other public use or service areas.

(B) Hunting is prohibited on the following areas:

1. Thomas S. Baskett Wildlife Research and Education Center
2. Bethany (Old Bethany City Reservoir)
3. Bridgeton (Kiwanis Lake)
4. California (Proctor Park Lake)
5. Carthage (Kellogg Lake)
6. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lake)
7. Dexter City Lake
8. Farmington City Lake
9. Hamilton City Lake
10. Harrisonville (North Lake)
11. Jackson (Rotary Park Lake)
12. Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Fleming Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)
13. James Foundation (Scioto Lake)
14. Jamesport City Lake
15. Lawson City Lake
16. Mexico (Lakeview Lake, Kiwanis Lake)
17. Mineral Area College (Quarry Pond)
18. Moberly (Rothwell Park Lake, Water Works Lake)
19. Mount Vernon (Williams Creek Park Lake)
20. Overland (Wild Acres Park Lake)
21. Potosi (Roger Bilderback Lake)
22. Rolla (Schuman Park Lake)

23. St. Louis County (Bee Tree Lake, Creve Coeur Lake, Simpson Lake, Spanish Lake, Sunfish Lake)

24. Savannah City Lake

25. Sedalia (Clover Dell Park Lake)

26. Springfield City Utilities (Lake Springfield)

27. Warrensburg (Lion's Lake)

28. Windsor (Farrington Park Lake)

(C) Firearms hunting is prohibited on Cameron (Reservoirs No. 1, 2, and 3, Grindstone Reservoir) and Springfield City Utilities (Fellows Lake), except waterfowl hunting is permitted under statewide regulations until 1:00 p.m. on designated portions of Cameron (Reservoir No. 3, Grindstone Reservoir) and Springfield City Utilities (Fellows Lake).

(D) Firearms deer hunting is prohibited on Butler City Lake.

(E) Hunting is prohibited on Maysville (Willow Brook Lake), except waterfowl hunting is permitted under statewide regulations.

(F) On Mingo National Wildlife Refuge:

1. Deer and turkey during the fall archery season and turkey during the spring firearms season may only be taken under statewide regulations in designated areas by hunters properly registered at the refuge or Duck Creek Conservation Area.

2. Squirrels may only be taken from the fourth Saturday in May through September 30 in designated areas by hunters properly registered at the refuge or Duck Creek Conservation Area.

3. Waterfowl hunting is prohibited after 1:00 p.m. and on December 25.

4. Waterfowl may be taken only by holders of a valid area daily hunting tag and only from a blind or in a designated area, except that hunters may retrieve dead birds and pursue and shoot downed cripples outside the designated area.

5. Waterfowl hunters must check out immediately after the close of their hunting trip and prior to processing birds.

6. Nonhunters are prohibited within the shooting areas during the waterfowl hunting season unless they are members of and remain with a party authorized to use the area, except that portions of these areas may be open to fishing during all or part of the waterfowl season.

7. Hunting of wildlife other than waterfowl is prohibited, except in designated areas, from October 15 through the end of the prescribed waterfowl season.

(G) On the portion of Melvin Price Locks and Dam Pool 26, which has been designated a waterfowl refuge, shooting, hunting and off-road vehicles are prohibited at all times.

(2) Managed deer hunts, with commission approval, may be held on any area managed by the department under cooperative agreement. Participants of managed hunts must possess a Managed Deer Hunting Permit.

(3) Trapping is allowed only with a special use permit. Trappers must comply with Chapter 8 of the Wildlife Code.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.130 Fishing, General Provisions and Seasons

PURPOSE: This rule establishes where and when fishing is allowed on areas under management agreement with the department.

(1) Fishing, under statewide permits and seasons, is allowed on areas managed by the department under cooperative agreement except as otherwise provided in this chapter.

(2) Fishing is prohibited where designated by signs.

(3) Fishing is prohibited on Chillicothe R-2 School District (Litton Center Pond), Jackson County (Fleming Pond) and Mark Twain National Forest (Carmen Spring Management Area).

(4) On Mingo National Wildlife Refuge, fishing is permitted on all waters from March 15 through September 30. From October 1 through March 14 fishing is permitted on designated waters only.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.135 Fishing, Methods

PURPOSE: This rule establishes provisions for fishing methods on areas under management agreement with the department.

(1) Fishing methods, other than the use of pole and line with lure or bait, are prohibited on lakes managed by the department under a cooperative agreement except as otherwise provided in this rule.

(2) A person may use no more than three (3) poles at any time.

(3) Carp, buffalo, suckers and gar may be taken by gig, longbow or crossbow during statewide seasons on the following lakes:

- (A) Brookfield City Lake
- (B) Bethany (North Bethany City Reservoir)
- (C) Cameron (Reservoirs No. 1, 2 and 3, Grindstone Reservoir)
- (D) Fayette (D.C. Rogers Lake, Fayette City Lake No. 2)

- (E) Hamilton City Lake
- (F) Harrison County Lake
- (G) Jackson County (Lake Jacomo, north of Colbern Road)
- (H) Kirksville (Hazel Creek Lake)
- (I) Maryville (Mozingo Lake)
- (J) Macon City Lake
- (K) St. Louis County (Sunfish Lake)
- (L) Thousand Hills State Park (Forest Lake)
- (M) Unionville City Lake
- (N) Wakonda State Park lakes

(4) Carp, buffalo, suckers and gar may be taken by gig during statewide seasons on Jackson County (Prairie Lee Lake).

(5) Carp, buffalo, gar and shad may be taken by longbow from sunrise to midnight throughout the year on Concordia (Edwin A. Pape Lake) and Higginsville City Lake.

(6) Fish may be taken with limb lines and bank lines on Thousand Hills State Park (Forest Lake).

(7) Only flies, artificial lures and soft plastic baits (unscented) may be used from November 1 through January 31 on Kirkwood (Walker Lake), Overland (Wild Acres Park Lake) and St. Louis County (Tilles Park Lake).

(8) On Mingo National Wildlife Refuge, other fish as designated in 3 CSR 10-6.550 may be taken for personal use by nets and seines from March 15 through September 30. All gear shall be plainly labeled on a durable material with the name and address of the person using the equipment.

(9) Netting or trapping live bait is prohibited, except that on Concordia (Edwin A. Pape Lake), and Jackson County (Lake Jacomo, Prairie Lee Lake) gizzard shad may be taken with dip net or throw net.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.140 Fishing, Daily and Possession Limits

PURPOSE: This rule establishes daily and possession limits for fish on areas under management agreement with the department.

(1) Statewide daily limits shall apply for all species, except as otherwise provided in this rule.

(2) The daily limit for black bass is two (2) on the following lakes:

- (A) Arrow Rock State Historic Site (Big Soldier Lake)
- (B) Ballwin (New Ballwin Lake, Vlasik Park Lake)
- (C) Bridgeton (Kiwanis Lake)
- (D) Butler City Lake
- (E) California (Proctor Park Lake)
- (F) Columbia (Twin Lake)
- (G) Concordia (Edwin A. Pape Lake)
- (H) Confederate Memorial State Historic Site lakes
- (I) Ferguson (January-Wabash Lake)
- (J) Higginsville City Lake
- (K) Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)
- (L) Jefferson City (McKay Park Lake)
- (M) Kirksville (Hazel Creek Lake)
- (N) Kirkwood (Walker Lake)
- (O) Macon (Bless Lake)
- (P) Mineral Area College (Quarry Pond)
- (Q) Overland (Wild Acres Park Lake)
- (R) Potosi (Roger Bilderback Lake)
- (S) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)
- (T) St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Suson Park Lakes No. 1, 2, and 3, Tilles Park Lake, Veteran's Memorial Park Lake)
- (U) University of Missouri (South Farm R-1 Lake)
- (V) Warrensburg (Lion's Lake)
- (W) Watkins Mill State Park Lake
- (X) Wentzville (Community Club Lake)
- (Y) Windsor (Farrington Park Lake)

(3) The daily limit for bullhead catfish is ten (10) on the following lakes:

- (A) Ballwin (New Ballwin Lake, Vlasik Park Lake)
- (B) Ferguson (January-Wabash Lake)
- (C) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)
- (D) St. Louis County (Bellefontaine Park Lake, Queeny Park Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

(4) The daily limit for carp is four (4) on the following lakes:

- (A) Ballwin (New Ballwin Lake, Vlasik Park Lake)
- (B) Ferguson (January-Wabash Lake)
- (C) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)
- (D) St. Louis County (Bellefontaine Park Lake, Queeny Park Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

(5) The daily limit for channel catfish, blue catfish and flathead catfish in the aggregate is four (4).

(6) The daily limit for crappie is fifteen (15) on the following lakes:

- (A) Ballwin (New Ballwin Lake, Vlasik Park Lake)
- (B) Ferguson (January-Wabash Lake)

(C) Kirksville (Hazel Creek Lake)

(D) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)

(E) St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

(F) Springfield City Utilities (Fellows Lake)

(7) The daily limit for white bass, striped bass and their hybrids in the aggregate is four (4) on Cameron (Reservoir No. 3) and St. Louis County (Creve Coeur Lake).

(8) The daily limit for gizzard shad for bait on Jackson County (Lake Jacomo, Prairie Lee Lake) and Concordia (Edwin A. Pape Lake) is one hundred fifty (150).

(9) The daily limit for other fish as designated in 3 CSR 10-6.550 is twenty (20) in the aggregate, except on the following lakes where the daily limit in the aggregate is ten (10), and except for those fish included in (3), (4) and (8) of this rule:

- (A) Ballwin (New Ballwin Lake, Vlasik Park Lake)
- (B) Bridgeton (Kiwanis Lake)
- (C) Ferguson (January-Wabash Lake)
- (D) Kirkwood (Walker Lake)
- (E) Mineral Area College (Quarry Pond)
- (F) Overland (Wild Acres Park Lake)
- (G) Potosi (Roger Bilderback Lake)
- (H) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)
- (I) St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)
- (J) Wentzville (Community Club Lake)

(10) Trout must be returned to the water unharmed immediately after being caught from November 1 through January 31 on Kirkwood (Walker Lake), Overland (Wild Acres Park Lake) and St. Louis County (Tilles Park Lake). Trout may not be possessed on these waters during this season.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.145 Fishing, Length Limits

PURPOSE: This rule establishes length limits on fish for areas under management agreement with the department.

(1) Statewide length limits shall apply for all species, except as otherwise provided in this rule.

(2) Black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught, except as follows:

(A) Black bass less than twelve inches (12") total length must be returned to the water unharmed immediately after being caught on Knob Noster State Park lakes and Van Meter State Park Lake.

(B) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Arrow Rock State Historic Site (Big Soldier Lake)
2. Bethany (Old Bethany City Reservoir)
3. Big Oak Tree State Park (Big Oak Lake)
4. Butler City Lake
5. California (Proctor Park Lake)
6. Cameron (Reservoirs No. 1, 2 and 3, Grindstone Reservoir)
7. Carthage (Kellogg Lake)
8. Concordia (Edwin A. Pape Lake)
9. Confederate Memorial State Historic Site lakes
10. Dexter City Lake
11. Hamilton City Lake
12. Harrison County Lake
13. Higginsville City Lake
14. Holden City Lake
15. Iron Mountain City Lake
16. Jackson (Rotary Park Lake)
17. Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)
18. Jefferson City (McKay Park Lake)
19. Lancaster (New City Lake)
20. Maysville (Willow Brook Lake)
21. Mark Twain National Forest (Fourche Lake, Huzzah Pond, Loggers Lake, McCormack Lake, Noblett Lake, Roby Lake)
22. Mineral Area College (Quarry Pond)
23. Pershing State Park ponds
24. Potosi (Roger Bilderback Lake)
25. Warrensburg (Lion's Lake)
26. Watkins Mill State Park Lake
27. Windsor (Farrington Park Lake)
28. Unionville City Lake
29. University of Missouri (Dairy Farm Lake No. 1 and McCredie Lake)

(C) Black bass less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Ballwin (New Ballwin Lake, Vlasik Park Lake)
2. Bridgeton (Kiwanis Lake)
3. Columbia (Twin Lake)
4. Ferguson (January-Wabash Lake)
5. Kirksville (Hazel Creek Lake)
6. Kirkwood (Walker Lake)

7. Macon (Blees Lake)

8. Overland (Wild Acres Park Lake)

9. St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)

10. St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Susan Park Lakes, No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

11. University of Missouri (South Farm R-1 Lake)

12. Wentzville (Community Club Lake)

(D) Black bass more than fourteen inches (14") but less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on LaBelle City Lake.

(3) White bass, striped bass and their hybrids less than twenty inches (20") total length must be returned to the water unharmed immediately after being caught on Cameron (Reservoir No. 3) and St. Louis County (Creve Coeur Lake).

(4) Bluegill less than nine inches (9") total length must be returned to the water unharmed immediately after being caught on University of Missouri (Dairy Farm Lake No. 1 and McCredie Lake).

(5) Channel catfish less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on Macon City Lake and Marceline City Lake.

(6) Flathead catfish less than twenty-four inches (24") total length must be returned to the water unharmed immediately after being caught on Concordia (Edwin A. Pape Lake), Higginsville City Lake and St. Louis County (Bee Tree Lake, Sunfish Lake).

(7) Muskellunge less than forty-two inches (42") total length must be returned to the water unharmed immediately after being caught on Kirksville (Hazel Creek Lake).

(8) Walleye less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on Maryville (Mozingo Lake) and Memphis (Lake Showme).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED RULE

3 CSR 10-12.150 Fishing, Trout Parks

PURPOSE: This rule establishes methods, seasons, and limits for fishing within Trout Park streams under management agreement with the department.

(1) On Maramec Spring Trout Park, Bennett Spring State Park, Montauk State Park and Roaring River State Park:

(A) Fishing is permitted on designated waters during posted hours. Not more than one (1) pole and line may be used by one (1) person at any time. Giggling, snaring, snagging, and the taking of live bait are prohibited. Flies, artificial lures, unscented soft plastic baits and natural and scented baits may be used, except in waters posted as restricted to specific baits or lures. The use of any foods to attract fish, except when placed on a hook, is prohibited.

(B) Trout fishing is permitted from March 1 through October 31. The daily limit is five (5) trout, and no person shall continue to fish for any species after having five (5) trout in possession. Fishing in the designated trout waters is permitted only by holders of a signed valid area daily trout fishing tag.

(C) On a designated portion of Montauk State Park and Roaring River State Park, catch and release trout fishing only is permitted from March 1 through October 31. Only flies may be used, and trout must be returned to the water unharmed immediately after being caught. Trout may not be possessed in these designated areas, and no person with five (5) trout already in possession may fish there.

(D) Trout fishing is permitted from 8:00 a.m. to 4:00 p.m. on Fridays, Saturdays and Sundays from the second Friday in November through the second Sunday in February. Fishing in designated trout waters is permitted only by holders of a valid trout permit. Only flies may be used, and all fish must be returned to the water unharmed immediately after being caught. Fish may not be possessed on these waters.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 20—Wildlife Code: Definitions**

PROPOSED RULE

3 CSR 10-20.805 Definitions

PURPOSE: This rule defines words and terms used in the Code.

(1) For the purpose of this Code the following definitions shall govern unless a different meaning is stated or clearly evident from the context.

(2) Antlered deer: A deer having at least one (1) antler not less than three inches (3") long.

(3) Arm of lake: An inlet or bay of a water impoundment, including all impounded tributaries, smaller arms and coves thereof other than those specifically excepted.

(4) Backwater: Any flowing or nonflowing water lying exclusively within the floodplain of a river and connected to that river at any water level below official flood stage, as designated by the U.S. Army Corps of Engineers for the portion of the river where backwater is occurring. Backwater shall not include tributary streams and ditches, but may include side channels, chutes, sloughs, bayous, oxbows and blew holes.

(5) Chase or chased: The act of using dogs to follow wildlife for the purpose of recreation or dog training, but not for the purpose of catching or taking that wildlife.

(6) Circus: A scheduled staged event in which entertainment includes performances by trained wildlife, either native or nonnative to the continental United States, and in which physical contact between wildlife and humans is restricted to the handlers, performers or other circus employees.

(7) Closed season: That period of time during which the pursuit or taking of wildlife is prohibited by this Code.

(8) Commercial establishment: Any place of business, owned or operated by any person or group of persons, or business concern of any kind, where ordinary trade or business practices are conducted. This term shall include, but is not restricted to, any club, association or society where meals, lodging or other services or facilities are furnished for a consideration, price or fee.

(9) Commercial fish: All fish except shovelnose sturgeon more than thirty inches (30") in length (measured from tip of snout to fork of tail), pallid and lake sturgeon and game fish as defined in this rule. Includes those species for which sale is permitted when legally obtained. For purposes of this Code, packaged salt water species or freshwater species not found in waters of this state, when the processed fish are truly labeled as to content, point of origin and name and address of the processor, are exempt from restrictions applicable to native commercial fish. Commercial fish include common snapping and soft-shelled turtles and crayfish taken from waters open to commercial fishing. In the Mississippi River and that part of the St. Francis River which forms the boundary between the states of Arkansas and Missouri, commercial fish also include channel, blue and flathead catfish at least fifteen inches (15") in total length. In the Mississippi River only, commercial fish include paddlefish at least twenty-four inches (24") in length (measured from eye to fork of tail).

(10) Commercial waters: The flowing portions of the Missouri River, the Mississippi River except in Sand Chute below the mouth of the Salt River in Pike County, and that part of the St. Francis River which forms a boundary between the states of Arkansas and Missouri, and also waters which exist temporarily through overflow from the Mississippi River east of the Missouri Pacific Railroad between Cape Girardeau and Scott City, and east of the Mississippi River mainline and setback levees between Commerce and the Arkansas state line.

(11) Commission: The Conservation Commission as specified in Section 3, Reorganization Act of 1974, pursuant to Article IV, Section 40(a) of the *Constitution of Missouri* (see also Article IV, Section 12).

(12) Crossbow: A device for discharging quarrels or bolts, formed of a bow set crosswise on a stock, usually drawn by means of a mechanism and discharged by release of a trigger.

(13) Days or dates: All days and dates shall be inclusive. A day shall begin or end at midnight, unless otherwise specified.

(14) Department: The Department of Conservation as specified in Section 3, Reorganization Act of 1974, pursuant to Article IV, Section 40(a) of *Constitution of Missouri* (see also Article IV, Section 12).

(15) Director: The director of the Department of Conservation.

(16) Ditch: Any artificial drainageway, tributary to a stream or body of water, and containing sufficient water to support fish.

(17) Domicile: The place where a person has his/her true, fixed and permanent home and principal establishment and to which whenever s/he is absent s/he has the intention of returning. It is his/her legal residence, as distinguished from his/her temporary place or abode; or his/her home, as distinguished from a place to which business or pleasure may temporarily call him/her.

(18) Field or retriever trials: An organized contest, demonstration or trial of dogs where prizes or awards of any kind are offered and where dogs under control are used to chase, pursue or retrieve wildlife.

(19) Firearms: Pistols, revolvers and rifles propelling a single projectile at one (1) discharge including those powered by spring, air or compressed gas, and shotguns not larger than ten (10) gauge.

(20) Flies, lures and baits: The following are authorized for use except where restricted in 3 CSR 10-6.415, 3 CSR 10-6.535, 3 CSR 10-11.205, and 3 CSR 10-12.135.

(A) Fly—A lure constructed on a single-point hook, of feathers, tinsel, chenille, yarn, fur, hair, silk, rayon or nylon thread or floss, with or without spinner.

(B) Artificial lure—A manufactured lure other than a fly or soft plastic bait (unscented).

(C) Soft plastic bait (unscented)—Synthetic eggs, synthetic worms, synthetic grubs and soft plastic lures.

(D) Natural and scented baits—A natural fish food such as bait fish, crayfish, frogs permitted as bait, grubs, insects, larvae, worms, salmon eggs, cheese, corn and other food substances not containing any ingredient to stupefy, injure or kill fish. Does not include flies or artificial lures. Includes dough bait, putty or paste-type bait, any substance designed to attract fish by taste or smell and any fly, lure or bait containing or used with such substances.

(21) Furbearing animals: Furbearers: Mink, muskrat, opossum, river otter, striped skunk, spotted skunk, badger, beaver, raccoon, long-tailed weasel, red fox, gray fox, bobcat, mountain lion, black bear and coyote.

(22) Game birds: Geese, ducks, ring-necked pheasant, gray partridge, ruffed grouse, wild turkey, northern bobwhite quail, Virginia rail, sora rail, American coot, American woodcock, common snipe, mourning dove and crows.

(23) Game fish: Shall include the following in which the common names are to be interpreted as descriptive of, but not limiting, the classification by Latin names:

(A) *Ambloplites*, all species of rock bass, commonly known as goggle-eye, redeye, shadow bass, Ozark bass.

(B) *Lepomis gulosus*, commonly known as warmouth bass.

(C) *Esox*, all species commonly known as muskellunge, tiger muskie, muskie-pike, hybrid, northern pike, chain pickerel, grass pickerel.

(D) *Ictalurus*, all species except bullheads, commonly known as channel catfish, blue catfish, Mississippi cat, Fulton cat, spotted cat, white cat, willow cat, fiddler cat.

(E) *Micropterus*, all species of black bass and their hybrids, commonly known as largemouth bass, lineside bass, smallmouth bass, brown bass, Kentucky bass, spotted bass.

(F) *Polyodon*, all species, commonly known as paddlefish, spoonbill.

(G) *Pomoxis*, all species, commonly known as crappie, white crappie, black crappie.

(H) *Pylodictis*, commonly known as flathead catfish, goujon, yellow cat, river cat.

(I) *Morone*, all species and their hybrids, commonly known as white bass, yellow bass, striped bass.

(J) *Oncorhynchus* and *Salmo*, all species commonly known as salmon and trout.

(K) *Stizostedion*, all species and their hybrids, commonly known as walleye, pike perch, jack salmon, sauger.

(24) Game mammals: Deer, fox squirrel, gray squirrel, groundhog (woodchuck), cottontail rabbit, swamp rabbit, jack rabbits, and furbearers as defined.

(25) Grab: The act of snagging or attempting to snag a fish by means of a pole, line and hook manipulated by hand.

(26) Hook: Single- or multiple-pronged hooks and the ordinary artificial lures with attached single- or multiple-pronged hooks and dropper flies. A multiple-pronged hook or two (2) or more hooks employed to hold a single bait, shall be considered a single hook in counting the allowable total in use.

(27) Length of fish: Total length is measured from the tip of the snout to the end of the tail, with the fish laid flat on the rule with mouth closed and tail lobes pressed together. The length of paddlefish is measured from the eye to the fork of the tail. The length of sturgeon is measured from the tip of the snout to the fork of the tail.

(28) Lessee: Any Missouri resident who resides on at least five (5) acres of land in one (1) continuous tract owned by others, or any member of the immediate household whose legal residence and domicile is the same as the lessee's for at least thirty (30) days last past.

(29) Limit: The maximum number or quantity, total length, or both, of any wildlife permitted to be taken or held in possession by any person within a specified period of time according to this Code.

(30) Longbow: A bow drawn and held by hand and not fastened to a stock nor to any other device which maintains the bow in a drawn position. This definition includes compound bows.

(31) Managed deer hunt: A prescribed deer hunt conducted on a designated area for which harvest methods, harvest quotas and numbers of participants are determined annually and presented in the deer hunting rule (3 CSR 10-7.435).

(32) Mouth of stream or ditch: The point at which a line projected along the shore of a main stream or ditch at the existing water level at time of measurement crosses any incoming stream or ditch.

(33) Mussels: All species of freshwater mussels and clams. Includes all shells and alive or dead animals. Two (2) shell halves (valves) shall be considered one (1) mussel.

(34) Muzzleloading firearm: Any firearm capable of being loaded only from the muzzle.

(35) Night vision equipment: Optical devices (that is, binoculars or scopes) using light amplifying circuits that are electrical or battery powered.

(36) Nonresident landowner: Any nonresident of Missouri who is the owner of at least seventy-five (75) acres in one (1) continuous tract in the state of Missouri, or any member of the immediate household whose legal residence and domicile is the same as the nonresident landowner's for at least thirty (30) days last past. Corporate ownerships do not apply under this definition.

(37) Open season: That time when the pursuing and taking of wildlife is permitted.

(38) Other fish: All species other than those listed as endangered in 3 CSR 10-4.111 or defined in this rule as game fish.

(39) Poisons, contaminants, pollutants: Any substances that have harmful effect upon wildlife.

(40) Pole and line: Fishing methods using tackle normally held in the hand, such as a cane pole, casting rod, spinning rod or fly rod, to which not more than three (3) hooks with bait or lures are attached. This fishing method does not include snagging, snaring, grabbing or trotlines or other tackle normally attached in a fixed position.

(41) Possessed and possession: The actual and constructive possession and control of things referred to in this Code.

(42) Public roadway: The right of way which is either owned in fee or by easement by the state of Missouri or any county or municipal entity, or which is used by the general public for travel and is also regularly maintained by Department of Transportation, federal, county or municipal funds or labor.

(43) Pursue or pursued: Includes the act of trying to find, to seek or to diligently search for wildlife for the purpose of taking this wildlife.

(44) Resident landowner: Any Missouri resident who is the owner of at least five (5) acres in one (1) continuous tract, or any member of the immediate household whose legal residence or domicile is the same as the landowner's for at least thirty (30) days last past. Except as provided in 3 CSR 10-7.435, in the case of corporate ownership, this definition shall apply only to those corporate shareholders who reside on lands held by the corporation.

(45) Sell: To exchange for compensation in any material form and the term shall include offering for sale.

(46) Speargun: A mechanically powered device that propels a single- or multiple-pronged spear underwater.

(47) Store and storage: Shall also include chilling, freezing and other processing.

(48) Take or taking: Includes killing, trapping, snaring, netting or capturing in any manner, any wildlife, and also refers to pursuing, molesting, hunting, wounding; or the placing, setting or use of any net, trap, device, contrivance or substance in an attempt to take; and every act of assistance to every other person in taking or attempting to take any wildlife.

(49) Transport and transportation: All carrying or moving or causing to be carried or moved from one (1) point to another, regardless of distance, vehicle or manner, and includes offering or receiving for transport or transit.

(50) Underwater spearfishing: The taking of fish by a diver while underwater, with the aid of a manually or mechanically propelled, single- or multiple-pronged spear.

(51) Waters of the state: All rivers, streams, lakes and other bodies of surface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned or leased by a single person or by two (2) or more persons jointly or as tenants in common or by corporate shareholders, and including waters of the United States lying within the state. Waters of the state will include any waters which have been stocked by the state or which are subject to movement of fishes to and from waters of the state.

(52) Zoo: Any publicly-owned facility, park, building, cage, enclosure or other structure or premises in which live animals are held and exhibited for the primary purpose of public viewing.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-II.805. Original rule filed April 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 100—Division of Credit Unions Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

4 CSR 100-2.060 [Minimum Capital Requirements and] Delinquent Loan and Extension Agreements Reporting Procedures. The director of the Division of Credit Unions proposes amending this rule by amending the title and the purpose, deleting current sections (1), (2), (4), and (5), amending and renumbering current section (9), and renumbering current sections (3), (6)–(11).

PURPOSE: This proposed amendment revises approved investment accounting procedures, eliminates a redundant minimum capital requirement, and clarifies requirements for reviewing delinquent loan schedules.

PURPOSE: This rule sets forth [certain minimum capital requirements as a percentage of delinquent loans. It further sets forth] reporting requirements [and provisions] for [write off of] delinquent loans and [defines certain procedures of the director of the Division of Credit Unions regarding waiver actions.] extension agreements and establishes minimum standards for charging off loans.

[(1) Market losses, at the time of sale, on securities or investments should be charged as current operating expenses. However, these losses may be considered contingent losses chargeable to the statutory reserve.

[(2) Prior to the payment of dividends, the statutory reserve fund, the allowance for loan loss and the membership shares, in the aggregate, shall be equal to at least the sum of the amounts resulting from the application of the following percentages to the unpaid balances of the delinquent loans: two to six (2–6) months delinquent—twenty-five percent (25%); six to twelve (6–12) months delinquent—seventy-five percent (75%); and twelve (12) months or more delinquent—one hundred percent (100%). The allowance for loan loss will be increased to meet those percentages by a charge to undivided earnings if the statutory reserve fund, the allowance for loan loss and membership shares are not adequate.]

[[3]] (1) The scheduling or classifying of delinquent loans shall be on the contract basis. This means that the status of the accounts is determined by comparing the amount of money or the number of full payments received against the amount of money or the number of full payments that should have been made in accordance with the contract (note). Delinquencies of a partial month shall be considered a full month when scheduling or classifying delinquent loans.

[[4] In the event the required transfer to the allowance for loan loss exceeds the amount of the undivided earnings before dividends, the full amount of undivided earnings shall be transferred and no dividends can be paid.

(5) Upon written application by the board of directors to the director of credit unions, the director, considering special circumstances, may waive the full maintenance of the twenty-five/seventy-five/one hundred percent (25/75/100%) of delinquent loans minimum capital requirement for a specific period of time. At his/her sole discretion, the director may appoint an allowance for loan loss waiver request review board to make recommendations to the director regarding the merits of any such waiver request. If appointed, the review board would be composed of representatives from the Division of Credit Unions staff, the appropriate share insurer or guarantor, the Missouri Credit Union League and industry management. The previously mentioned notwithstanding, the director shall not be bound to accept the review board's conclusions.]

[[6]] (2) Each credit union shall maintain a monthly schedule of delinquent loans which shall list in columnar form the account number, name of borrower, date of loan, date of last payment, original amount of loan and outstanding balance of loan at date of schedule and share balance, together with space to note current action or status.

[[7]] (3) The unpaid balances of loans shall be set apart in columns of the schedule of delinquent loans which will indicate the extent of delinquency as determined by the oldest delinquent installment according to note contract, as follows:

(A) Loans on which the oldest delinquent installment is two (2) months, but less than six (6) months, past due;

(B) Loans on which the oldest delinquent installment is six (6) months, but less than twelve (12) months, past due; and

(C) Loans on which the oldest delinquent installment is past due twelve (12) months or more.

[[8]] (4) In determining the oldest delinquent installment, all repayments received are to be considered as applying to installments in the order in which they came due.

[[9]] (5) The schedule of delinquent loans [should] shall be reviewed by the board of directors [monthly. In the event that

it is not reviewed monthly, then it shall be reviewed not less than] at least quarterly [by the board].

[[10]] (6) Loans listed as twelve (12) months or more delinquent and classified Loss on the most recent state examination and are the same at the next annual examination or supervisory contact (which shall be not less than one hundred fifty (150) days from the day of the previous examination), with no change in circumstances (change in circumstances shall be defined as receiving a minimum of twenty-five percent (25%) of scheduled monthly payments for the period), will be charged to the allowance for loan loss at that time. If the allowance for loan loss is insufficient, sufficient amounts will be charged to the provision for loan loss expense for that requirement. Upon written application by the board of directors, the director of credit unions, considering special circumstances, may waive this requirement.

[[11]] (7) The proper control of extension agreements is of considerable significance and is singled out for special attention. Extension agreements, by their very nature, may lend themselves to misuse and should be monitored carefully by the board of directors at least quarterly.

AUTHORITY: section 370.100, RSMo [1986] 2000. Original rule filed Jan. 15, 1968, effective Jan. 25, 1968. Amended: Filed Sept. 14, 1972, effective Sept. 24, 1972. Amended: Filed Dec. 15, 1975, effective Dec. 25, 1975. Amended: Filed June 8, 1976, effective Sept. 11, 1976. Emergency amendment filed Feb. 14, 1984, effective Feb. 24, 1984, expired June 23, 1984. Amended: Filed March 12, 1984, effective June 11, 1984. Amended: Filed Jan. 6, 1986, effective April 25, 1986. Amended: Filed April 18, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Credit Unions, John P. Smith, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission Chapter 120—New Manufactured Homes

PROPOSED AMENDMENT

4 CSR 240-120.100 Code. This proposal amends the following sections of this rule: section (1) and adds a new section (2).

PURPOSE: This rule established the code for new manufactured homes and is amended to incorporate by reference the federal standards for manufactured housing codes and to establish set up and installation requirements for new manufactured homes.

(1) The federal standards [set out] as incorporated by reference in 24 CFR Part 3280 constitute the code to be applied to new manufactured homes which entered the first stage of production after November 22, 1976 which are rented, leased or sold or offered for rent, lease or sale in this state.

(2) All new manufactured homes shall be set up or installed according to the manufacturer's installation instructions.

AUTHORITY: section 700.010, RSMo [1986] 2000. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983. Amended: Filed April 26, 2001.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 121—Pre-Owned Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-121.010 Definitions. This proposal amends the following sections of this rule: section (1) subsection (C), (D), and (E).

PURPOSE: This rule defines the terms used in this chapter and is amended to reflect the deregulation of recreational vehicles and exhibit the correct reference to manufactured homes.

(1) The following definitions, as well as those set out in section 700.010, RSMo apply to this chapter:

(C) Director means the director of the *[Division of Mobile Homes, Recreational Vehicles and Modular Units] Manufactured Housing and Modular Units Program* of the Public Service Commission and persons working under his/her supervision;

(D) Insignia means the device *[which] that* in other states is affixed to a *[mobile] manufactured* home to evidence compliance with state prescribed manufacturing and safety standards;

(E) Pre-owned *[mobile] manufactured* home means a *[mobile] manufactured* home which has been sold at retail or rented, leased or occupied either as a dwelling or a place of business;

AUTHORITY: section 700.040, RSMo [Supp. 1989] 2000. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed April 26, 2001.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 121—Pre-Owned Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-121.020 Administration and Enforcement. This proposal amends the following section of this rule: section (1).

PURPOSE: This rule is amended to reflect the correct reference to pre-owned manufactured homes.

(1) The commission's powers and responsibilities under Chapter 700, RSMo with respect to pre-owned *[mobile] manufactured* homes, except the power to revoke, deny, refuse to renew or place on probation a registration under section 700.090, RSMo are delegated to the director.

AUTHORITY: section 700.040, RSMo [1986] 2000. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed April 26, 2001.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 121—Pre-Owned Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-121.040 Inspection of Dealer Books, Records, Inventory and Premises. This proposal amends the following sections of this rule: section (1).

PURPOSE: This amendment establishes the requirements for dealer record inspections and is amended to exhibit the correct reference to manufactured homes.

(1) The books, records, inventory and premises of a dealer, from time-to-time during normal business hours, shall be subject to an inspection by the director to ascertain if the dealer is complying with this chapter and Chapter 700, RSMo as it relates to pre-owned *[mobile] manufactured* homes and also to ascertain if grounds exist under section 700.100, RSMo to reject an application for registration filed under section 700.090, RSMo or to refuse to renew or to suspend, revoke or place on probation a registration which has been made under section 700.090, RSMo.

AUTHORITY: section 700.040, RSMo [Supp. 1989] 2000. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed April 26, 2001.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 121—Pre-Owned Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-121.050 Inspection of [Preowned Mobile] Pre-Owned Manufactured Homes Rented, Leased or Sold or Offered for Rent, Lease or Sale by Persons Other Than Dealers. This proposal amends the following sections of this rule: the title; original Purpose; sections (1) and (2).

PURPOSE: This rule establishes the requirements for pre-owned manufactured home inspections and is amended to exhibit the correct reference to manufactured homes.

PURPOSE: This rule sets forth the extent to which [preowned mobile] pre-owned manufactured homes rented, leased, sold or offered for rent, lease or sale by persons other than dealers are subject to inspection by the director.

(1) In order to determine if pre-owned [mobile] manufactured homes which are rented, leased, sold, or offered for rent, lease or sale in this state by persons other than dealers comply with the code, these pre-owned [mobile] manufactured homes are subject to periodic inspection by the director.

(2) Inspections under this rule shall be conducted during normal business hours and upon twenty-four (24) hours' written notice to the occupants, if any, of the pre-owned [mobile] manufactured home to be inspected. Upon the director's request, the owner of a pre-owned [mobile] manufactured home to be inspected shall furnish the name and address of the occupants of the [preowned mobile] home.

AUTHORITY: section 700.040, RSMo [Supp. 1989] 2000. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed April 26, 2001.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 121—Pre-Owned Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-121.060 Complaints and Review of Director Action. This proposal amends the following sections of this rule: sections (1) and (2).

PURPOSE: This rule establishes the procedures in which complaints may be filed and is amended to exhibit the correct reference to manufactured homes.

(1) Any person aggrieved by a violation of this chapter or Chapter 700, RSMo as it relates to pre-owned [mobile] manufactured homes, may file a formal or informal complaint with the commission under 4 CSR 240-2.070.

(2) Commission review of the decisions, directives and interpretations of the director which relate to the code, this chapter or Chapter 700, RSMo as it relates to pre-owned [mobile] manufactured homes, may be obtained by filing a written informal or formal complaint under 4 CSR 240-2.070. In such a complaint, the director shall be denominated as the respondent.

AUTHORITY: section 700.040, RSMo [Supp. 1989] 2000. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed April 26, 2001.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 121—Pre-Owned Manufactured Homes**

PROPOSED RULE

4 CSR 240-121.090 Proper and Initial Setup of Pre-Owned Manufactured Homes

PURPOSE: This rule pertains to the requirements for the installation and setup of pre-owned manufactured homes.

(1) All pre-owned manufactured homes manufactured after January 1, 1974, shall be set up according to the manufacturer's setup and installation manual. If a manufacturer's installation manual is not available, a pre-owned manufactured home shall be set up according to the 1994 American National Standard Institute *Manufactured Home Installations Manual*, (ANSI A225.1-1994).

AUTHORITY: section 700.100, RSMo 2000. Original rule filed April 26, 2001.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 23—Division of Geology and Land Survey
Chapter 3—Well Construction Code**

PROPOSED AMENDMENT

10 CSR 23-3.100 Sensitive Areas. The division is amending section (4) and adding new sections (5) and (6).

PURPOSE: This amendment establishes a new special area with respect to drilling and construction of water wells. The new special area has been designated on the basis of either naturally occurring water-quality issues caused by unique groundwater chemistry or man-induced alteration of groundwater chemistry. This rule further defines the procedures that are presently allowed under Missouri Well Construction Code 10 CSR 23-3.100(3).

(4) Special Area 1. Due to the unique and varied geological conditions present because the bedrock is deeply weathered and often highly fractured, openings filled with mud may extend deep into the bedrock. Caving-in of the hole during drilling and after well construction is a problem. The following rules are the minimum that are required but in many cases much more steel casing may be necessary to secure the well bore. Also, in some cases plastic liner is not strong enough to hold the well bore open and steel should be used. All persons engaged in drilling of a domestic well in *[the]* special area 1 (see Figure 1 and Figure 7 included herein) shall—

(5) Special Area 2 Definitions.

(A) “Lower aquifer” means that portion of transmissive, water-bearing geologic material extending from the Cotter Dolomite to igneous bedrock. The lower aquifer includes all formations constituting the Ozark Aquifer and the St. Francois Aquifer in the southwestern portion of the state.

(B) “Low-permeability” bedrock means that portion of geologic material between the lower aquifer and upper aquifer that does not readily transmit water in sufficient quantities to supply a well. The Northview Formation, the Chattanooga Shale, and the upper thirty feet (30') of the Cotter Dolomite shall constitute the low-permeability bedrock. The low-permeability bedrock serves as a natural barrier to groundwater mixing between the upper aquifer and lower aquifer. See Figure 7A included herein for an illustration of geology in Special Area 2.

(C) “Upper aquifer” means that portion of the transmissive, water-bearing geologic material above the top of the low-permeability bedrock. The upper aquifer includes all formations constituting the Springfield Plateau Aquifer in the southwestern portion of the state.

(D) “Maximum contaminant level (MCL)” is the maximum permissible concentration of a constituent in drinking water as listed by EPA drinking water standards.

(E) “Action level (AL)” is the maximum permissible concentration of lead in drinking water as specified in the *Code of*

Federal Regulations. ALs are levels used for constituents that do not have established MCLs.

(F) “TCE” is the organic chemical trichloroethylene, a common solvent. Degradation of TCE produces dichloroethylene and vinyl chloride.

(G) “Impact area” is defined as that land surface area that is underlain or surrounded by water-bearing units that contain groundwater above the MCL or AL for at least one (1) constituent of concern (lead, cadmium, TCE or TCE degradation products, or other constituents of the Primary Drinking Water Regulations) and considers the potential for contaminant migration.

(6) Special Area 2. All of Newton County and Jasper County shall be listed as Special Area 2 (Figure 7B included herein) due to the contamination of portions of the upper aquifer by one (1) or more of the following: lead, cadmium, TCE, TCE degradation products or other constituents of the Primary Drinking Water Regulations. The upper aquifer and lower aquifer are separated by a thickness of low-permeability bedrock (Figure 7A). This low-permeability bedrock limits migration of groundwater and any associated contamination from the upper aquifer to the lower aquifer. Wells that penetrate the low-permeability bedrock without an adequate length of surface casing which has had the annulus sealed by approved methods through the low-permeability bedrock may place the lower aquifer at risk to future contamination. Due to chemical and metal contamination present in the upper aquifer in portions of this area, it is necessary to require more stringent well construction standards for new wells that are drilled into the lower aquifer, to cease construction of additional upper aquifer wells in impact areas, and to limit deepening of existing upper aquifer wells in impact areas. New wells constructed outside of the impact area shall be constructed to standards that are no less stringent than the minimum well construction requirements for Area 1. All persons engaged in drilling wells in Special Area 2 shall—

(A) Before beginning construction of the well, determine if the well to be drilled is located within the impact area as shown on maps provided by The Division of Geology and Land Survey (DGLS) or as determined by DGLS staff. If data indicate change in impact area status, the impact area map may be modified by DGLS during January of the calendar year and that map will be maintained and available at: Division of Geology and Land Survey, PO Box 250, Rolla MO 65402-0250.

(B) Drill new wells within the impact area to a depth required to produce water from the lower aquifer. All new wells drilled in the impact area shall have steel or plastic casing properly installed and grouted to the depth determined by the Special Area 2 casing depth map.

1. The drill hole shall be a minimum of eight and five-eighths inches (8 5/8") in diameter to the surface casing point;

2. New steel casing shall be installed as specified in 10 CSR 23-3.030 (steel);

3. The well must be sealed by positive displacement grouting with high-solids bentonite slurry. The annulus between the casing and the borehole wall shall be grouted from the base of the borehole. The volume of grout shall be no less than the calculated volume necessary to accomplish full-length grouting of the annulus. Alternatively, full-length pressure grouting (10 CSR 23-3.030(3)(A)4.) with high-solids bentonite slurry or neat cement meets the requirements of this rule. In addition, casing must be sealed as follows:

A. When steel casing is used, a drive shoe is required except on wells where the grout is allowed to cure as specified in subparagraph (6)(B)3.C. of this rule before drilling resumes;

B. If plastic casing is used, a drill hole shall be constructed a minimum of ten inches (10") in diameter to the

casing point. Plastic casing shall be installed as specified in 10 CSR 23-3.070 (plastic) and, a packer, coupling, or inverted bell is required to be secured near the bottom of the casing and must hold the grout in place while drilling continues. PVC and ABS plastic casing shall not be used when known gasoline or solvent contamination exists within the impact area. The annular space shall be sealed as specified in paragraph (6)(B)3. of this rule. No packer, coupling, or inverted bell is required on wells where the grout is allowed to cure as specified in subparagraph (6)(B)3.C. of this rule before drilling resumes; and

C. The following times must be allowed for curing grout when no packer is used:

(I) High-solids bentonite slurry—varies based on additives and manufacturer's specifications. At least one hour of curing after initial slurry placement is suggested. This amount of curing time should elapse during casing placement.

(C) Uncontaminated upper aquifer wells in impact areas of Special Area 2 existing before the date of this rule may be deepened to the top of the low-permeability bedrock.

(D) Water from all new wells and deepened old wells throughout Special Area 2 shall be sampled and analyzed for lead and cadmium, plus TCE and its degradation products within TCE impact areas, or other constituents of the Primary Drinking Water Regulations. Sampling for other constituents of the Primary Drinking Water Regulations from wells located outside of known impact areas is voluntary. Qualified and properly trained persons must complete sample collection. The laboratory that analyzes the sample must be approved by the EPA for such analysis. A copy of the chain of custody form shall be submitted to the division with the well certification report form to document sampling has occurred. An appropriate chain of custody form will be available from DGLS.

1. In order to ensure proper well development, the well pump must run continuously for five (5) hours or until the water clears, whichever occurs first, but in no case shall the well be pumped less than two (2) continuous hours.

2. After proper well development, water samples shall be collected from the tap nearest the well.

3. All new and deepened old wells in Special Area 2 shall be constructed with a sampling port or tap within ten feet (10') of the wellhead. Water must be purged from the sampling port prior to collection of a sample.

4. Water from all new wells in Special Area 2 with less than three (3) times the applicable maximum contaminant level (MCL) or action level (AL) may be retested over a one (1)-month period following pump installation and development to assess water quality changes that may have resulted from drilling and/or well construction. The well cannot be used for human consumption until contaminant levels are below MCLs/ALs. Qualified and properly trained persons must complete sample collection. The laboratory that analyzes the sample must be approved by the EPA for such analysis. A copy of the chain of custody form shall be submitted to the division with the well certification report form to document sampling has occurred. An appropriate chain of custody form will be available from DGLS. New wells which do not attain contaminant levels below MCLs/ALs shall be plugged after the retest period.

5. Properly constructed new lower aquifer wells that are determined to be contaminated may be allowed to use water treatment systems on a variance basis, if other domestic water sources are not available at the time of well construction. Otherwise, the well must be plugged by using full-length, high-solids bentonite grout emplaced by tremie pipe which extends to within twenty-five feet (25') of the bottom of the borehole. Grout, extending from the bottom of the borehole to within two feet (2') of land surface and finished per 10 CSR 23-3.110

(2)(A)3.G., is preferred; in any case, the minimum volume of grout shall be no less than the volume calculated as necessary to accomplish full length plugging of the well.

6. Existing wells that extend uncased and/or unsealed through the low-permeability bedrock and that are found to be contaminated with lead, or cadmium, or TCE, TCE degradation products, or other constituents of the Primary Drinking Water Regulations shall be plugged full-length with high-solids bentonite grout, emplaced by tremie pipe, which extends to within twenty-five feet (25') of the bottom of the borehole. Grout, extending from the bottom of the borehole to within two feet (2') of land surface and finished per 10 CSR 23-3.110(2)(A)3.G., is preferred; in any case, the minimum volume of grout shall be no less than the volume calculated as necessary to accomplish full length plugging of the well.

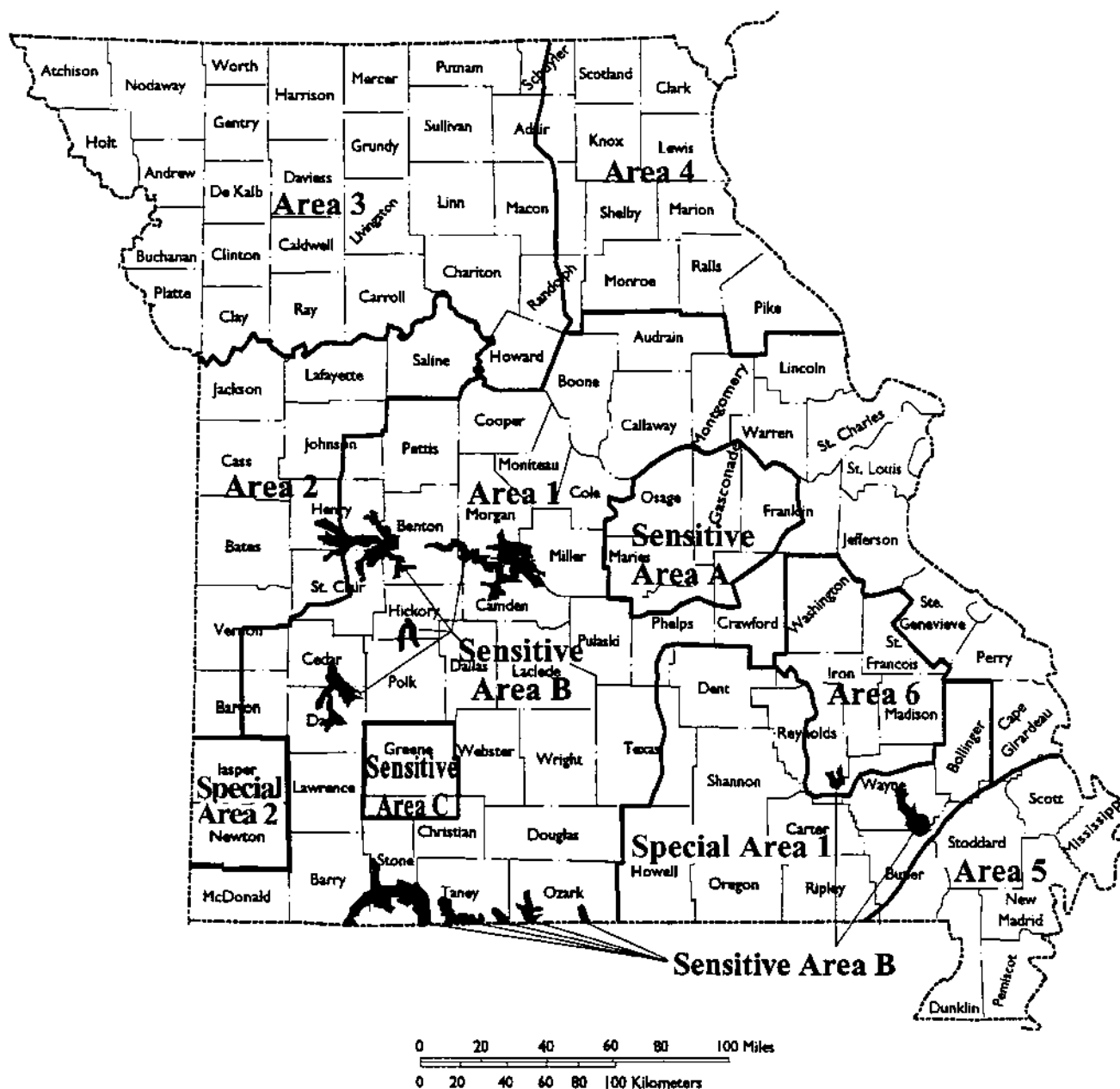


Figure 1. Map showing drilling areas for private well construction regulations. Areas are enlarged in maps on following pages.

Special Area 1

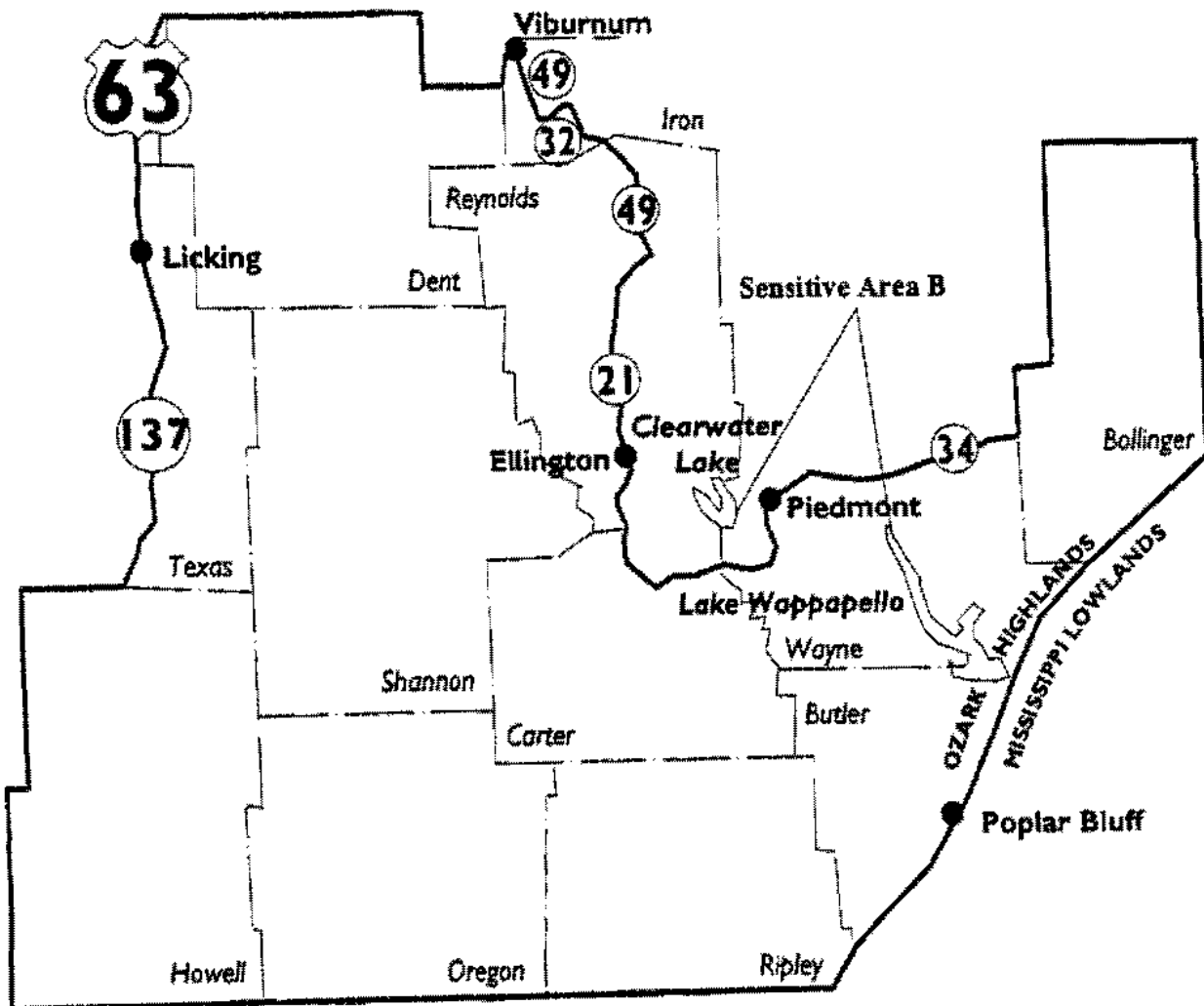


Figure 7. Enlargement of Special Area 1 and part of Sensitive Area B map.

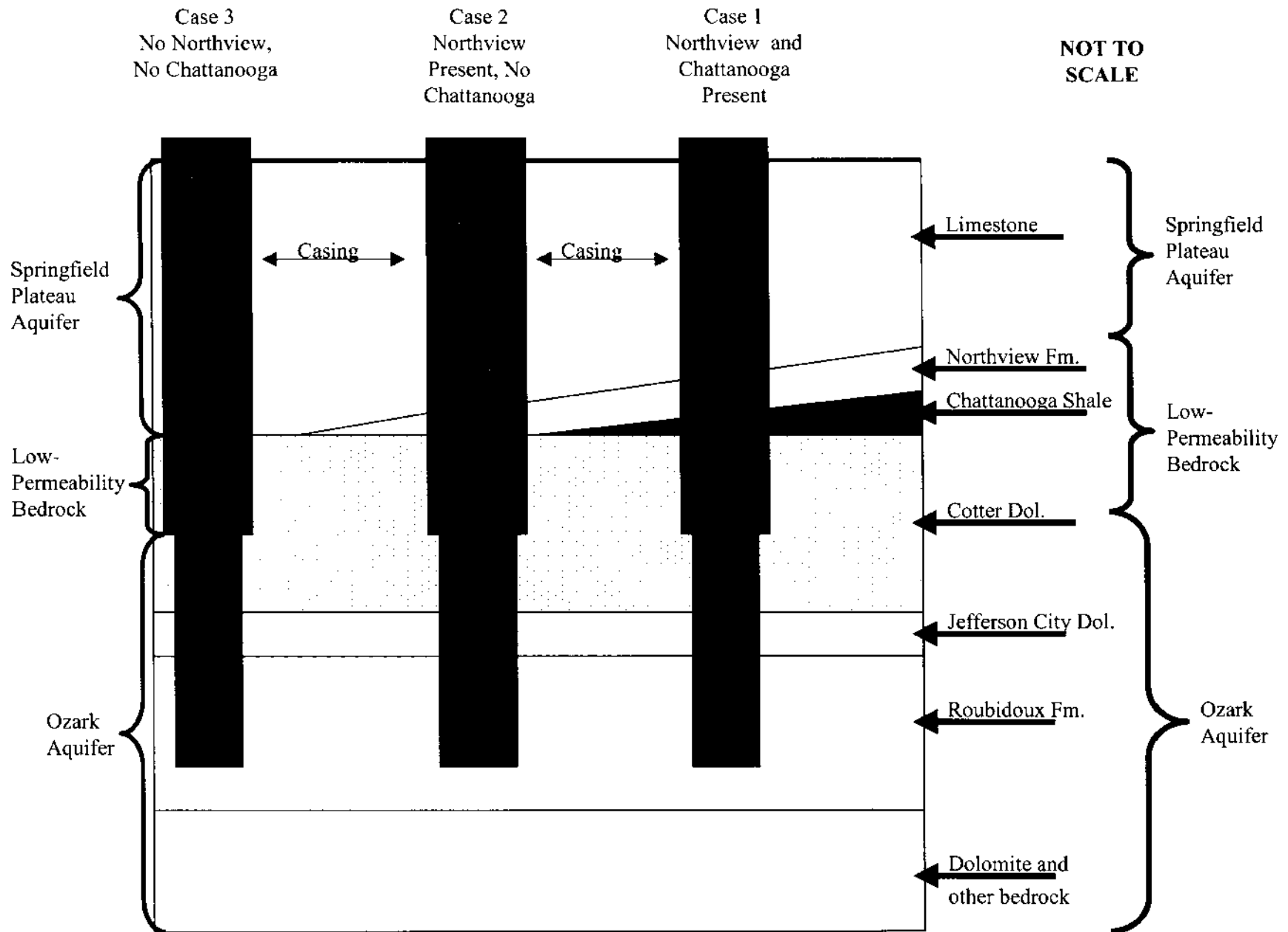


Figure 7 A. Special Area 2 Geology and Well Casing

Area 1, Special Area 2, and Sensitive Areas A, B, and C

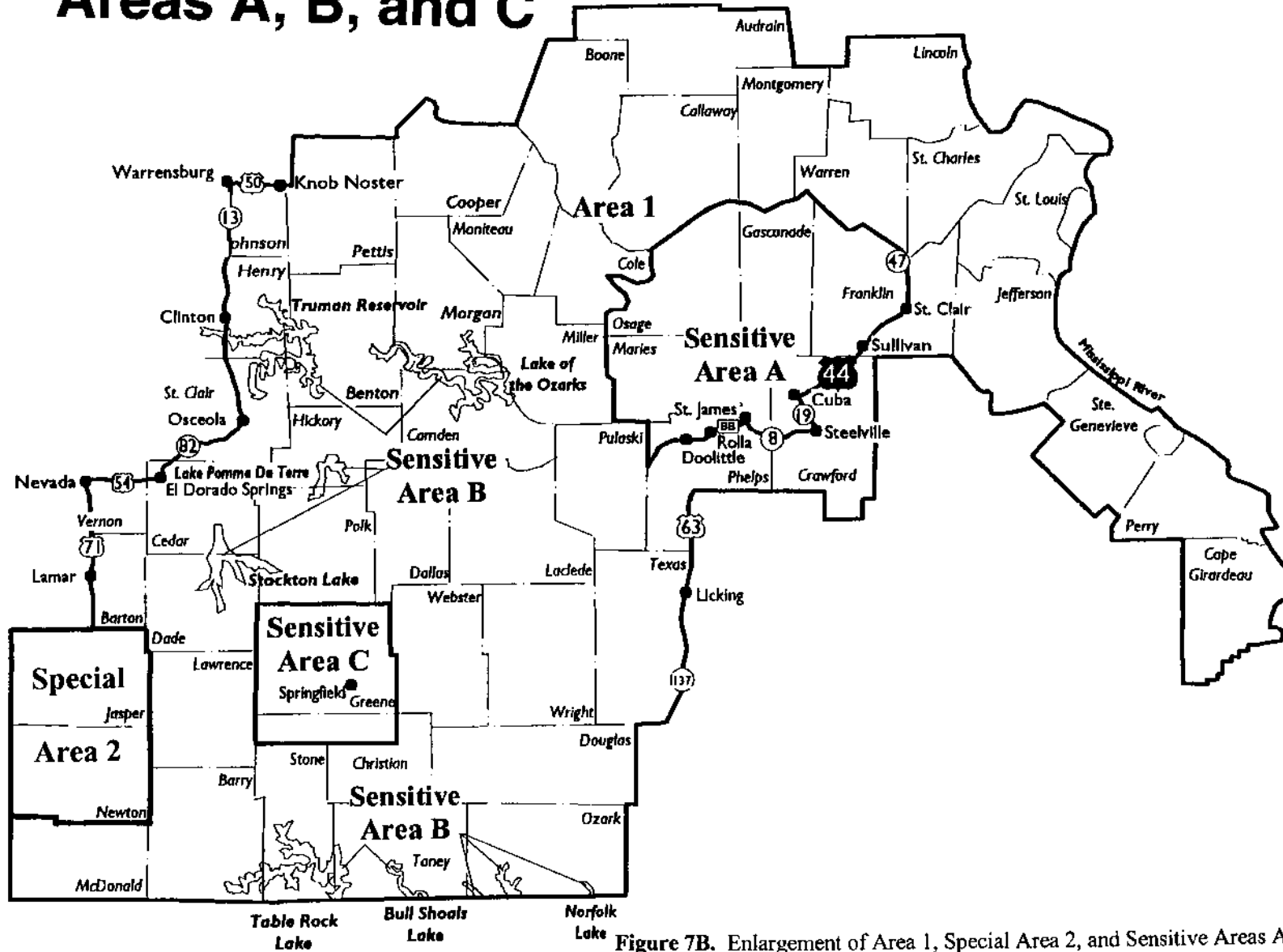


Figure 7B. Enlargement of Area 1, Special Area 2, and Sensitive Areas A, B, and C map.

AUTHORITY: sections 256.606 and 256.626, RSMo [1994] 2000. Original rule filed April 2, 1987, effective July 27, 1987. Emergency amendment filed Nov. 16, 1993, effective Dec. 11, 1993, expired April 9, 1994. Amended: Filed Aug. 17, 1993, effective March 10, 1994. Amended: Filed July 13, 1994, effective Jan. 29, 1995. Amended: Filed Nov. 1, 1995, effective June 30, 1996. Amended: Filed April 23, 2001.

PUBLIC COST: This proposed amendment is estimated to cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment is estimated to cost private entities \$217,500 during FY02 and \$435,000 yearly thereafter for the life of the rule. See attached fiscal note.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, Division of Geology and Land Survey, PO Box 250, Rolla, MO 65402-0250, Attention Mr. Bob Archer. If hand delivered, comments must be brought to the offices of the Department of Natural Resources, Division of Geology and Land Survey, III Fairgrounds Road, Rolla, Missouri. To be considered, comments must be received by close of business on July 9, 2001. A public hearing is scheduled for July 9, 2001, at 10:00 a.m. in the Council of Chambers, Joplin City Hall, 303 East Third, Joplin, Missouri.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 10 – Department of Natural Resources

Division: 23 – Division of Geology and Land Survey

Chapter: 3 – Well Construction Code

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 23-3 100 – Sensitive Areas

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
75	Private Landowners	\$435,000

III. WORKSHEET

- Estimated number of wells drilled in the Newton and Jasper County contaminated zone for private landowners.
- Average cost of shallow well (prior to proposed amendment) \$3,069.00. Average cost of deep well (after proposed amendment is effective) - \$8,870.00. Difference of \$5,800.00 per well.
Aggregate cost = 75 wells times \$5,800/well=\$435,000.

Well Construction Parameters and Local Geology

	Average Total Depth	Average Casing Length	Number of Domestic Wells (12 yrs)
Jasper	305'	92'	1391
Newton	382'	102'	2361
Average (Both Counties)	344'	97'	--

Average Depth To:	Northview Formation	Chattanooga Shale	Cotter Dolomite	Number of Public Wells in Survey
Jasper	365'	----	383'	30
Newton	312'	334'	337'	49

III. WORKSHEET

Estimated "Average" Well Construction Cost

Shallow Well

total well depth (feet)	344
total casing depth (feet)	97
seal footage	30

description	unit cost	cost
miscellaneous fees, etc	\$110.00	\$110.00
drill 97 feet at 8 5/8 inches	\$8.20/foot	\$795.40
install 98 feet casing (1 foot stickup)	\$7.00/foot	\$686.00
seal 30 feet	\$4.00/foot	\$120.00
drill 247 feet at 6 inches	\$5.50/foot	\$1358.50
		<u>\$3069.90</u>

Deep Well

total well depth (feet)	600
total casing depth (feet)	398
seal footage	398

description	unit cost	cost
miscellaneous fees, etc	\$110.00	\$110.00
drill 398 feet at 8 5/8 inches	\$8.20/foot	\$3263.60
install 399 feet casing (1 foot stickup)	\$7.00/foot	\$2793.00
seal 398 feet	\$4.00/foot	\$1592.00
drill 202 feet at 6 inches	\$5.50/foot	\$1111.00
		<u>\$8869.60</u>

**COST
DIFFERENCE**

\$5799.70

Estimate of Impact Area Wells to be Constructed

Total Wells In Two Counties	Estimated Impact Area Percentage	Years of Record	Percentage of New Single Family Wells	Estimated Number of Impact Area Wells Per Year
(a)	(b)	(c)	(d)	
1391	18	12	70	15
2361	43	12	70	$a*b/c*d=$ 60
				Total 75

IV. ASSUMPTIONS

1. The rule is assumed to be in effect in perpetuity or until impacted groundwater is remediated. The annualized cost does not take into account inflationary factors or other financial impacts, which are unknown in perpetuity.
2. The new rule is expected to be effective Jan 1, 2002. The cost for the first full fiscal year is assumed to be the same as other years.
3. It is assumed that the size of the regulated community will remain constant. The number of new wells to be subject to this amendment is based on an average of the number of well certification records over the past twelve (12) years for the impacted portions of the two counties.
4. This cost assumes that not all new wells in an impact area will be completed as single family wells. Some property owners will hook-up to existing public utilities (5%), others will use multi-family wells (15%), or large subdivisions will supply water to residences (10%).
5. This cost assumes there will be no new or sudden changes in technology, which would influence cost. Current technology can allow a substantial decrease in cost should more than estimated multiple service connections be used to supply more than one family per well.
6. The estimate of drilling cost is assumed to be the average prevailing well construction rate at the date of drafting the amendment. Currently (January 2001), a 344-foot well should cost approximately \$3,069 and a 600-foot well cased into the low-permeability units between the upper aquifer and lower aquifer should cost approximately \$8,870.
7. This cost assumes that the areal extent of impact is accurate and will not substantially increase or decrease.
8. This cost does not take into account the interest saving available from using State Revolving Fund low-interest loans, state grants, and potential EPA loans or grants.
9. This cost does not take into account the expansion of existing public water districts or the establishment of new public water districts.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 40—Division of Fire Safety
Chapter 5—Elevators**

PROPOSED AMENDMENT

11 CSR 40-5.065 Missouri Minimum Safety Codes for Existing Elevator Equipment. The division is amending subsection (1)(H).

PURPOSE: The purpose of this amendment is to take exceptions to the referenced Codes or provide alternatives and to ensure that all elevators and similar equipment regulated under the Missouri Elevator Safety Act in Missouri obtain safety inspections this year. It has been noted that some areas of the referenced Codes are too restrictive or may not be feasible to implement or may be unreasonable for certain types of installations.

(1) The following standards apply to all existing elevator equipment installed prior to the effective date of these rules and regulations as provided in 11 CSR 40-5.060. Any installation which is in compliance with the latest ASME A17.1 version adopted and amended by the Elevator Safety Board, unless as exempted by 701.359, RSMo shall be considered to be in compliance with 11 CSR 40-5.065. The foregoing standards are incorporated by reference in this rule.

(H) Machine Rooms.

1. All means of access to elevator machine rooms shall be of a permanent nature and shall be constructed and maintained in a clear and unobstructed manner.

2. The elevator machine and control equipment shall be located in a separate room or separated [from other] space designed as an elevator machine room or space and shall be accessible only to authorized personnel. Existing machines and equipment [by a substantial grill of not less than six feet (6') high.] essential to the operation and purpose of the building are permitted but must not interfere with the safety and work area for maintaining elevator equipment. Where other existing machines and equipment essential to the operation and purpose of the building are located in the machine room or space, the elevator related equipment and machines shall be separated by a substantial grill constructed of non-combustible material not less than six feet (6') high and [T]the grill shall be of a design that will reject a ball two inches (2") in diameter. All rooms or enclosures shall have a self-closing and self-locking door and shall be operable from the interior space without use of a key. After the effective date of this rule, no equipment shall be added to the machine room or space that is not used in connection with the operation of the elevator.

3. All elevator machine rooms shall be provided with a floor. The floor shall cover the entire area of the machine room and hoistway.

4. Machine room floors shall be kept clean and free of grease and oil. Articles or materials not necessary for the maintenance or operation of the elevator shall not be stored therein. Flammable liquids having a flash point of less than one hundred ten degrees Fahrenheit (110°F) shall not be stored in the machine room.

5. Lighting in the machine room shall be not less than ten (10) foot-candles at floor level.

6. Where there is more than one machine in a room, each machine shall have a different number conspicuously marked on it. The controller, disconnect switch and relay panels for each machine shall be conspicuously numbered to correspond to the machine it controls.

7. All electrical equipment in the machine room shall be grounded which shall conform to ASME A17.1 and NFPA 70 (NEC).

8. All electrical wiring in the machine room and hoistway shall be enclosed in metal conduit, flexible conduit or metal raceways.

9. Each elevator having polyphase alternating current power supply shall be provided with means to prevent the starting of the elevator motor if:

A. The phase rotation is in the wrong direction; or

B. There is a failure of any phase. This protection shall be considered provided in the case generator-field control having alternating current motor-generator driving motors, provided a reversal of phase will not cause the elevator driving-machine motor to operate in the wrong direction. Controllers whose switches are operated by polyphase torque motors provide inherent protection against phase reversal or failure.

AUTHORITY: section 701.355, RSMo [1994] 2000. Original rule filed Aug. 26, 1998, effective July 1, 1999. Amended: Filed Aug. 17, 2000, effective Feb. 28, 2001. Emergency amendment filed April 30, 2001, effective May 10, 2001, expires Nov. 5, 2001. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Fire Safety, William Farr, State Fire Marshal, PO Box 844, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 30—Child Support Enforcement
Chapter 10—Fees**

PROPOSED RULE

13 CSR 30-10.010 Annual Fee

PURPOSE: The purpose of this rule is to define how the Division of Child Support Enforcement will collect an annual processing fee against persons who receive support payments that are processed by the Family Support Payment Center.

(1) Definitions. For the purposes of this rule, the following definitions are applicable:

(A) Division means the Division of Child Support Enforcement.

(B) Payment Center means Family Support Payment Center.

(C) TANF means Temporary Assistance for Needy Families.

(D) Case means a family, as used in section 454.425, RSMo 2000, associated with a particular support order(s). A case includes a collection of people, generally, a custodian, and dependent(s) associated with a specific noncustodial parent.

(E) IV-D means part IV-D of the Social Security Act.

(F) Support means any financial support, which is due for the support or maintenance of a child or the custodian of a child or a spouse or ex-spouse based upon a judicial or administrative order.

(2) Annual Fees. The division will collect an annual processing fee of ten dollars (\$10) on each case in which payments are being received by and processed through the Payment Center for all or any part of a calendar year except as provided for in this subsection.

(A) The person obligated to pay support will receive credit against such person's support obligation for the entire payment

received by the Payment Center. The fee will be collected from the person entitled to receive support.

(B) Prior to disbursement to the person entitled to receive support, the fee will be collected from the first support payment processed by the Payment Center for each calendar year. If the first support payment processed by the Payment Center does not satisfy the annual fee, the balance remains due and will be collected from subsequent support payments received for that year until the entire fee is satisfied. If the fee is not satisfied by the end of a calendar year, the fee for that year will not accrue into the next calendar year. If a payment or part of a payment is applied to support due for a past or future year, a fee will be collected for the year the payment is applied.

(C) No fee will be collected from payments on a case in which a child for whom support is being received on that case is currently receiving TANF or Medicaid on that case.

(D) No fee will be collected from support payments assigned to the state of Missouri. If another state or territory timely and properly notifies the division of an assignment, no fee will be collected from support payments assigned to the state or territory.

(E) If a monthly fee is first collected from payments received on a case, an annual fee will not be collected in the same month from payments received on that case.

AUTHORITY: section 454.400.2(5), RSMo 2000. Original rule filed April 26, 2001.

PUBLIC COST: This proposed rule is estimated to cost state agencies or political subdivisions \$440,125.

PRIVATE COST: This proposed rule is estimated to cost private entities \$795,180 per year.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Division of Child Support Enforcement, Gary Bailey, Director, Division of Child Support Enforcement, 3418 Knipp Drive, Suite F, Jefferson City, MO 65109. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER

Title: 13 Department of Social Services

Division: 30 – Child Support Enforcement

Chapter: 10-010 Annual Fee

Type of Rulemaking: Proposed Rule

Rule Number and Name: 13 CSR 30-10.010 Annual Fee

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate		
	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003
Division of Child Support Enforcement			
Total fees collected		\$795,180	\$795,180
Mailing of required notices		(\$66,500)	
Required changes to Missouri Automated Child Support System to meet business needs	(\$67,100)	(\$306,525)	N/A
IV-D program revenue generated	(\$67,100)	\$422,155	\$795,180

III. WORKSHEET

Annual Fees

Projected Eligible Cases Per Year	Fees Collected Annually	Fiscal Year 2002 (Nine Months)	Fiscal Year 2003 (Full Year)
79,518	\$795,180	\$795,180	\$795,180

Mailings 350,000 Notices @
\$0.38 / notice @
50% = \$66,500

IV. ASSUMPTIONS

1. Associated costs are reported at 50% of actual cost. Due to the simultaneous establishment of a monthly fee and an annual fee assessment and collection process, each fee type will be assessed one-half of the start up costs.
2. Annual fees are collected at the case level.
3. Cost of mailings include bulk-rate postage and paper supplies.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 13 Department of Social Services

Division: 30 – Child Support Enforcement

Chapter: 10-010 Annual Fee

Type of Rulemaking: Proposed Rule

Rule Number and Name: 13 CSR 30-10.010 Annual Fee

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the compliance with the rule by the affected entities
79,518	Custodial Parents	\$795,180

III. WORKSHEET

Annual Fees

Projected Eligible Cases Per Year	Fees Collected Annually
79,518	\$795,180

IV. ASSUMPTIONS

1. Annual fees are collected at the case level.
2. Estimate in the aggregate is presented as the annual total for all custodial parents affected. The life of the rule is without end.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 30—Child Support Enforcement
Chapter 10—Fees**

PROPOSED RULE

13 CSR 30-10.020 Monthly Fee

PURPOSE: The purpose of this rule is to define how the Division of Child Support Enforcement will collect a monthly service fee against persons who receive support payments and services from the division.

(1) Definitions. For the purposes of this rule, the following definitions are applicable:

(A) Division means the Division of Child Support Enforcement.

(B) Payment Center means Family Support Payment Center.

(C) TANF means Temporary Assistance for Needy Families.

(D) Case means a family, as used in section 454.425, RSMo 2000, associated with a particular support order(s). A case includes a collection of people, generally, a custodian, and dependent(s) associated with a specific noncustodial parent.

(E) IV-D means part IV-D of the Social Security Act.

(F) Support means any financial support, which is due for the support or maintenance of a child or the custodian of a child or a spouse or ex-spouse based upon a judicial or administrative order.

(2) Monthly Fees. The division will collect a monthly service fee in the amount of fifteen dollars (\$15) on each IV-D case in which payments are being processed. If the person entitled to receive support has more than one IV-D case, a fee will be collected from payments processed on each IV-D case.

(A) The person obligated to pay support will receive credit against his or her support obligation for the entire payment processed by the Payment Center or the state. The fee will be collected from the person entitled to receive support if that person requested IV-D services.

(B) Prior to disbursement to the person entitled to receive support, the fee will be collected from the first support payment processed by the Payment Center or the state for each month. If the first support payment processed by the Payment Center or the state does not satisfy the monthly fee, the balance remains due, and will be collected from subsequent support payments received for that month until the entire fee is satisfied. If the fee is not satisfied by the end of the month, the fee for that month will not accrue into the next month. If the payment or part of a payment is applied to support due for a past or future month, a fee will be collected for the month the payment is applied.

(C) No fee will be collected from a IV-D case in which a child for whom support is being received on that case is currently or has previously received TANF on that case or is currently receiving Medicaid on that case.

(D) No fee will be collected from support payments assigned to the state of Missouri. If another state or territory timely and properly notifies the division of an assignment, no fee will be collected from support payments assigned to the state or territory.

(E) If an annual fee is first collected from payments received on a case, a monthly fee will not be collected in the same month from payments received on that case.

AUTHORITY: section 454.400.2(5), RSMo 2000. Original rule filed April 26, 2001.

PUBLIC COST: This proposed rule is estimated to cost state agencies or political subdivisions \$440,125.

PRIVATE COST: This proposed rule is estimated to cost private entities \$6,698,340 per year.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Division of Child Support Enforcement, Gary Bailey, Director, Division of Child Support Enforcement, 3418 Knipp Drive, Suite F, Jefferson City, MO 65109. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC ENTITY COST****I. RULE NUMBER**

Title: 13 Department of Social Services

Division: 30 – Child Support Enforcement

Chapter: 10-020 Monthly Fee

Type of Rulemaking: Proposed Rule

Rule Number and Name: 13 CSR 30-10.020 Monthly Fee

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate		
	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003
Division of Child Support Enforcement			
Total fees collected		\$5,023,755	\$6,698,340
Mailing of required notices		(\$66,500)	
Required changes to Missouri Automated Child Support System to meet business needs	(\$67,100)	(\$306,525)	N/A
IV-D program revenue generated	(\$67,100)	\$4,650,730	\$6,698,340

III. WORKSHEET**Monthly Fees**

Projected Eligible Cases Per Month	Fees Collected Monthly	Fiscal Year 2002 (Nine Months)	Fiscal Year 2003 (Full Year)
37,213	\$558,195	\$5,023,755	\$6,698,340

Mailings 350,000 Notices @
\$0.38 / notice @
50% = \$66,500

IV. ASSUMPTIONS

1. Associated costs are reported at 50% of actual cost. Due to the simultaneous establishment of a monthly fee and an annual fee assessment and collection process, each fee type will be assessed one-half of the start up costs.

1. Monthly fees are collected at the case level.

3. Cost of mailings include bulk-rate postage and paper supplies.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 13 Department of Social Services

Division: 30 -- Child Support Enforcement

Chapter: 10-020 Monthly Fee

Type of Rulemaking: Proposed Rule

Rule Number and Name: 13 CSR 30-10.020 Monthly Fee

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the compliance with the rule by the affected entities
37,213	Custodial Parents	\$6,698,340

III. WORKSHEET

Monthly Fees

Projected Eligible Cases Per Month	Fees Collected Annually
37,213	\$6,698,340

IV. ASSUMPTIONS

1. Monthly fees are collected at the case level.
2. Estimate of the number of entities by class is presented as the monthly average of all custodial parents affected. The life of the rule is without end.
3. Estimate in the aggregate is presented as the annual total for all custodial parents affected. The life of the rule is without end.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules

PROPOSED AMENDMENT

13 CSR 73-2.020 Procedures and Requirements for Licensure of Nursing Home Administrators. The board proposes to amend sections (1) and (2) and add section (4).

PURPOSE: The purpose of this amendment is to revise the minimum requirements for licensure as a nursing home administrator.

(1) Every applicant shall obtain an application form, **included herein**, from the board. The application shall be completed and returned to the board with a nonrefundable application fee.

(2) The completed application form shall provide satisfactory proof *[of]* **that the applicant has met** the following minimum requirements for Missouri licensure:

(A) *[That the applicant is t/]*Twenty-one (21) years of age or over;

(B) *[That the applicant has completed a/]*A high school diploma or equivalent;

(C) *[That the applicant has]* Of good moral character;

(D) *[That the applicant h/]*Has not been convicted of any crime, an essential element of which is fraud, dishonesty or moral turpitude, or which involves the operation of a long-term care facility or other health-care facility, whether or not sentence is imposed. A copy of the record of conviction or plea of guilty or nolo contendere shall be conclusive evidence of the conviction; and

(E) *[That the applicant has—]* **Experience and/or education from an accredited educational institution in one (1) of the following areas:**

1. **Experience:** A minimum of three (3) years of experience in health-care administration, **full-time equivalency**; or

2. *[Two (2) years of postsecondary education in health-care administration;]* **Education:**

A. Associate degree in health-care administration, including a minimum of twenty-one (21) semester hours of course work directly in health-care administration; or

B. Baccalaureate degree (Bachelor of Science or Bachelor of Arts) in one (1) of the following areas:

(I) Health-care administration;

(II) Gerontology (including a long-term care practicum, internship, or both);

(III) Nursing (BSN or diploma nurse); or

C. Master's degree or beyond in one (1) of the following areas:

(I) Health-care administration;

(II) Gerontology (including a long-term care practicum, internship or both);

(III) Nursing; or

3. *[Satisfactory completion of a course of instruction and training approved by the board as given in 13 CSR 7312.031; or]* **Experience and education in one (1) of the following areas:**

A. Associate degree **AND** two (2) years experience in a health-care facility; or

B. Baccalaureate degree (BS or BA) **AND** one (1) year experience in a health-care facility; or

C. Master's degree or beyond **AND** one (1) year experience in a health-care facility.

[4. Sufficient education, training or experience in the needs properly served by nursing homes, as determined by 13 CSR 73-2.041.]

(4) If the board determines the applicant has failed to meet one (1) of the criteria outlined in 13 CSR 73-2.020(2)(E)1.-3., the applicant—

(A) Must complete the course of instruction and training approved by the board pursuant to 13 CSR 73-2.031. The planned curriculum, including a description of each planned course, must be submitted to the board in writing for **PRIOR** review and approval. Failure to do so within six (6) months following notification of the board's decision will cause reapplication to become necessary for any future consideration.

(B) May submit additional information for reevaluation if done so no later than two (2) weeks prior to the next board meeting. The applicant will be given notice of the next board meeting date.

AUTHORITY: section 344.070, RSMo [Supp. 1998] 2000. Original rule filed March 5, 1974, effective March 1, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed April 30, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: For Calendar Year 2003, of the estimated 202 applicants for initial licensure, approximately 16% or 32 additional applicants will be required to complete a training program to qualify to sit for the examination. The estimated annual cost for the proposed regulation is \$75,690. The estimated cost to the private entities over the life of the rule is \$756,900.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Nursing Home Administrators, Diana Love, Executive Secretary, 615 Howerton Court, PO Box 1337, Jefferson City, MO 65102, (573) 751-3511. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Board of Nursing Home Administrators
FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 13 Department of Social Services

Division: 73 - Missouri Board of Nursing Home Administrators

Chapter: 2 - General Rules

Type of Rule: Proposed Rule

Rule Number and Name: 13 CSR 73-2.020 Procedures and Requirements for Licensure of Nursing Home Administrators

Prepared March 28, 2001 by the Board of Nursing Home Administrators of the Department of Social Services, Division of Aging.

II. SUMMARY OF FISCAL IMPACT

Classification by types of business entities which would likely be affected are applicants applying for initial licensure as a nursing home administrator.

**TABLE I
APPLICANTS FOUND NOT QUALIFIED TO SIT FOR EXAMINATION**

Note: This Table reflects only the applicants who we estimate will no longer qualify under the proposed rule. Applicants who were found not qualified under the current rules and who will continue to be found not qualified under the proposed rules are not listed as there is no additional cost to those applicants.

Applicant's Highest Level of Education	Estimated Number Each Fiscal Year	Cost to Applicant to Complete Training	Cost to Each Group of Applicants
High School	10	\$3,654.00	\$36,540.00
LPN	15	\$2,610.00	\$39,150.00
Associates Degree	1	\$0.00	\$0.00
Baccalaureate Degree	4	\$0.00	\$0.00
Masters Degree or Beyond	2	\$0.00	\$0.00
Totals	32		\$75,690.00

The estimated cost to the private entities over the life of the rule (10 years) is \$756,900.00.

III. WORKSHEET

State regulations at 13 CSR 73-2.031, Prescribed Course of Instruction and Training, specify the requirements for those applicants not meeting the minimum requirements.

High School	2,000 hour internship and 21 semester hours course work.
Licensed Practical Nurse	800 hour internship and 15 semester hours course work.
Associate Degree	640 hour internship and 0 semester hours course work.
Bachelor's Degree	500 hour internship and 0 semester hours course work.
Masters Degree and Beyond	500 hour internship and 0 semester hours course work.

Based on information gathered from 6 Missouri junior college and university web sites, an average cost of a semester hour is \$114 and the average cost for books and supplies is \$60 per semester hour. Therefore, the cost per applicant to complete the course work required to qualify to sit for the examination is estimated as follows:

High School	21 semester hours X (\$114 + \$60 books & supplies) = \$3,654
Licensed Practical Nurse	15 semester hours X (\$114 + \$60 books & supplies) = \$2,610
Associate degree	0 semester hours = \$0
Bachelor's Degree	0 semester hours = \$0
Masters Degree and Beyond	0 semester hours = \$0

The Board is unaware of any applicant seeking an internship with a nursing facility who has been unable to locate such a position. The Board does not believe there are any direct costs associated with the required internship. However, there may be insignificant costs related to travel to and from the internship work site.

IV. ASSUMPTIONS

Based upon a review of the prior 3 fiscal years (FY 99, FY 00 and FY 01), approximately 15% of the applicants did not qualify to sit for the examination. As a result of the proposed modifications to the regulation, the Board determined that approximately 31% of the applicants would not have qualified to sit for the examination. The result is an additional 16% of the applicants who no longer qualify to sit the exam. The distribution of applicants based upon their highest level of education, who no longer would qualify to sit for the examination under the proposed regulation is as follows:

High School	38	32%
Licensed Practical Nurse	56	47%
Associates Degree	2	2%
Bachelor of Science/Bachelor of Arts	15	13%
Masters Degree or Above	7	6%
	<u>118</u>	<u>100%</u>

The Board determined that the an estimated average of applicants applying for licensure will be 202 for fiscal years 2003 through 2011, and 101 for the last 6 months of FY 02 and the first 6 months of FY 2012. Therefore, for FY 2003 (first full fiscal year after the effect date of the proposed rule), of the estimated 202 applicants for initial licensure, approximately 16% or 32 additional applicants will be required to complete the Board required training program outlined by regulation. The Board estimates the following for FY 2003 after applying the above percentages:

High School	10	32%
Licensed Practical Nurse	15	47%
Associates Degree	1	2%
Bachelor of Science/Bachelor of Arts	4	13%
Masters Degree or Above	2	6%

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules

PROPOSED RESCISSION

13 CSR 73-2.041 Cumulative Point-Value System. This regulation was to describe the cumulative point-value system the board used to determine whether the evidence submitted by an applicant satisfied the conditions as set forth in 13 CSR 73-2.020(2)(E) of sufficient education, training or experience.

PURPOSE: The board is rescinding this rule and is proposing new criteria for initial licensure by amending 13 CSR 73-2.020(2)(E). The proposed minimum requirements for licensure as a nursing home administrator will replace the cumulative point-value system.

AUTHORITY: section 344.070, RSMo Supp. 1997. Original rule filed May 13, 1980, effective Aug. 11, 1980. Amended: Filed April 14, 1983, effective July 11, 1983. Amended: Filed Oct. 16, 1985, effective March 14, 1986. Amended: Filed Jan. 3, 1992, effective May 14, 1992. Amended: Filed April 30, 1998, effective Oct. 30, 1998. Rescinded: Filed April 30, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Nursing Home Administrators, Diana Love, Executive Secretary, 615 Howerton Court, PO Box 1337, Jefferson City, MO 65102, (573) 751-3511. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

PROPOSED AMENDMENT

16 CSR 50-2.030 Eligibility and Participation. The board is adding section (4).

PURPOSE: This amendment clarifies the rules under which a participant shall be credited with hours of service by adding section (4).

(4) A participant shall be credited with hours of service for a calendar year in accordance with the following rules:

(A) One hour shall be credited for each regular, vacation and sick pay hour for which the participant is paid during the calendar year;

(B) Hours will be credited for military leave based on the participant's average hours paid during the last six months worked prior to such leave;

(C) No hours will be credited for unpaid sick leave; and

(D) Overtime hours will be credited in the manner they are accounted for in county payroll records.

AUTHORITY: section 50.1032, RSMo [Supp. 1999] 2000. Original rule filed Oct. 11, 1995, effective May 30, 1996. Amended: Filed Dec. 9, 1997, effective June 30, 1998. Rescinded

and readopted: Filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed April 26, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, PO Box 2271, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine

PROPOSED AMENDMENT

19 CSR 25-30.011 General Provisions for the Determination of Blood, Breath, Saliva or Urine Analysis and Drug Testing. The department proposes to amend sections (1) and (3).

PURPOSE: This amendment is being made to add additional statutes that are covered by this chapter.

(1) Only those laboratories or persons performing analysis of blood, breath, urine or saliva for the determination of blood alcohol content, or of blood and urine for the presence of drugs—at the direction of a law enforcement officer acting under provisions of sections 577.020–577.039, RSMo [and], 577.041, RSMo and 306.111–306.119, RSMo—are subject to the rules of this chapter.

(3) The chemical analysis of a person's blood, breath, urine or saliva conducted under the provisions of 577.020–577.039, RSMo, [and] 577.041, RSMo, and 306.111–306.119, RSMo, shall be performed by licensed medical personnel or by personnel possessing a valid permit issued by the department.

AUTHORITY: sections [192.005.2] 192.006, 306.114, 306.117, 577.020, 577.026, 577.029, 577.031, 577.033, 577.039, [RSMo 1986] 577.023, 577.041, [RSMo Supp. 1991] and 577.037, RSMo [1988] 2000. This rule previously filed as 19 CSR 20-30.011. Original rule filed July 15, 1988, effective Sept. 29, 1988. Changed to 19 CSR 25-30.011 Jan. 1, 1995. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed May 10, 2001, effective May 22, 2001, expires Nov. 17, 2001. Amended: Filed May 10, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Dr. Eric C. Blank, State Public Health Laboratory, Missouri Department of Health, PO Box 570, Jefferson City, MO 65102, Phone: 573/751-3334. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine**

PROPOSED AMENDMENT

19 CSR 25.30.050 Approved Breath Analyzers. The department proposes to amend section (1) and add a new section (3).

PURPOSE: This amendment is being proposed to approve the Alco-Sensor IV for use with an Intoximeter, Inc. printer in addition to the RBT IV and a new section is being added to assure that breath tests performed on the Alco-Sensor IV/RBT IV prior to this amendment will continue to be considered valid. Also, this amendment removes the Intoxilyzer models 1400 and 5000CD which are no longer in production or in use in the state of Missouri.

(1) Approved breath analyzers are—

NAME OR ITEM	MANUFACTURER
Alco-Sensor IV/[RBT IV] with printer*	Intoximeters, Inc., St. Louis, MO
BAC Verifier and DataMaster	National Patent Analytical Systems, Inc., Mansfield, OH (formerly a subsidiary of National Patent Development Corporation, East Hartford, CT, formerly Verax Sys- tems, Inc., Fairport, NY)
[Intoxilyzer 1400*	CMI/MPH, Opera- tions of MPD, Inc. Owensboro, KY (formerly a sub- sidiary of Federal Signal Corp., Minturn, CO)]
Intoxilyzer, Model/s/ 5000 [and 5000 CD]	CMI/MPH, Operations of MPD, Inc., Owensboro, KY (formerly CMI, Inc., a subsidiary of Federal Signal Corp., Minturn, CO)

*The Alco-Sensor IV [RBT IV and Intoxilyzer 1400 are] with printer is approved for use as a bench-top instrument/s/ to be located within buildings or specially equipped trucks or vans specifically used for driving-while-intoxicated enforcement. [These/ This instrument/s are/ is not approved for mobile use in cars, boats, or outside areas.

(3) Breath tests performed on the Alco-Sensor IV/RBT IV prior to the effective date of this rule shall be considered valid under this rule if such tests were completed in compliance with the rules in effect at the time the test was conducted.

AUTHORITY: sections 192.006, 306.114, 306.117, 577.020, 577.037, 577.039, [and] 577.041, [RSMo Supp. 1997 and] 577.023, 577.026, 577.029, 577.031, and 577.033, RSMo [1994] 2000. This rule was previously filed as 13 CSR 50-140.050 and 19

CSR 20-30.050. Original rule filed Oct. 1, 1965, effective Oct. 13, 1965. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed May 10, 2001, effective May 22, 2001, expires Nov. 17, 2001. Amended: Filed May 10, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Dr. Eric C. Blank, State Public Health Laboratory, Missouri Department of Health, PO Box 570, Jefferson City, MO 65102, Phone (573) 751-3334. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*.

**Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine**

PROPOSED AMENDMENT

19 CSR 25-30.070 Approval of Methods for the Determination of Blood Alcohol Content From Samples of Blood, Urine or Saliva. The department proposes to amend section (1).

PURPOSE: This amendment is being made to add additional statutes that are covered by this chapter.

(1) Blood samples shall be taken in accordance with the provisions of sections 577.029, and 306.111–306.119, RSMo.

AUTHORITY: sections [192.005.2] 192.006, 306.114, 306.117, 577.020, 577.026, 577.029, 577.031, 577.033, 577.039, [RSMo 1986,] 577.023, 577.041, [RSMo Supp. 1991] and 577.037, RSMo [Supp. 1988] 2000. This rule previously filed as 19 CSR 20-30.070. Emergency rule filed May 21, 1987, effective May 31, 1987, expired Sept. 28, 1987. Original rule filed May 21, 1987, effective Aug. 27, 1987. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed May 10, 2001, effective May 22, 2001, expires Nov. 17, 2001. Amended: Filed May 10, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Dr. Eric C. Blank, State Public Health Laboratory, Missouri Department of Health, PO Box 570, Jefferson City, MO 65102, Phone: 573/751-3334. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva and Urine Analysis; and Determination
for the Presence of Drugs in Blood and Urine

PROPOSED AMENDMENT

19 CSR 25-30.080 Approval of Methods for the Analysis of Blood and Urine for the Presence of Drugs. The department proposes to amend section (1).

PURPOSE: This amendment is being made to add additional statutes that are covered by this chapter.

(1) Samples of blood or urine shall be collected in accordance with the provision of sections 577.029, **and 306.111–306.119**, RSMo and a sufficient volume of sample shall be collected to provide for duplicate testing.

AUTHORITY: sections [192.005.2] 192.006, 306.114, 306.117, 577.020, 577.026, 577.029, 577.031, 577.033, 577.039, [RSMo 1986], 577.023, 577.041, [RSMo Supp. 1991] and 577.037, RSMo [Supp. 1988] 2000. This rule previously filed as 19 CSR 20-30.080. Original rule filed July 15, 1988, effective Sept. 29, 1988. Changed to 19 CSR 25-30.080 Jan. 1, 1995. Emergency amendment filed May 10, 2001, effective May 22, 2001, expires Nov. 17, 2001. Amended: Filed May 10, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Dr. Eric C. Blank, State Public Health Laboratory, Missouri Department of Health, PO Box 570, Jefferson City, MO 65102, Phone: 573/751-3334. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than 30 days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The 90-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission adopts a rule as follows:

1 CSR 15-2.200 Subject Matter is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2001 (26 MoReg 390). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 621.198 and 621.205, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-2.290 Filing of Documents; Fax Filing; Posting Bond is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 390). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 536.073.2(2) and 621.198, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-2.450 Determination of Cases Without Hearing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 391). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-2.560 Fees and Expenses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 391). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission adopts a rule as follows:

1 CSR 15-3.200 Subject Matter is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2001 (26 MoReg 391–392). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-3.210 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 392). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 621.198 and 621.205, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-3.290 Filing of Documents; Fax Filing; Posting Bond is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 392). No changes have been made

in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-3.320 Stays or Suspensions of Any Action from which Petitioner Is Appealing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 392–393). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-3.350 Complaints is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 393–394). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-3.380 Answers and Other Responsive Pleadings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 394). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 536.073.2(2) and 621.198, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-3.450 Determination of Cases Without Hearing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 395). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission amends a rule as follows:

1 CSR 15-3.490 Hearings on Complaints is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 395). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the Administrative Hearing Commission amends a rule as follows:

1 CSR 15-3.560 Fees and Expenses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 395–396). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.210 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 396). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.230 Computation of Time; Extensions of Time is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 396). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.250 Practice by a Licensed Attorney; When Required is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 396-397). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.270 Service of Filings Other Than the Original Complaint is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 397). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 621.198 and 621.205, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.290 Filing of Documents; Fax Filing is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 397). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.320 Stays or Suspensions of Committee Action is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 397). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.350 Complaints is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 397-398). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.380 Answers and Other Responsive Pleadings is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg. 398). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.390 Intervention is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 398). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.410 Closing of Case Records and Hearings is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 398). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.420 Discovery is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 398–399). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.430 Dismissal is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 399). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 536.073.2(2) and 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.450 Determination of Cases Without Hearing is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 399). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.470 Prehearing Conferences is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 399). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.480 Hearings on Motions **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 399–400). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.490 Hearings on Complaints **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 400). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.510 Transcripts **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 400). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.530 Bench Rulings and Memorandum Decisions **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 400). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.560 Fees and Expenses **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 400–401). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-5.580 Certifications of Records **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 401). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.210 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 401). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.230 Computation of Time; Extensions of Time is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 401). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.250 Practice by a Licensed Attorney; When Required is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 401–402). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.270 Service of Filings Other Than the Original Complaint is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 402). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 621.198 and 621.205, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.290 Filing of Documents; Fax Filing is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 402). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.320 Stays or Suspensions of Department Action is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 402). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.350 Complaints is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 402–403). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.380 Answers and Other Responsive Pleadings is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 403). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.390 Intervention is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 403). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.410 Closing of Case Records and Hearings is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 403). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.420 Discovery is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 403–404). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.430 Dismissal is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 404). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 536.073.2(2) and 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.450 Determination of Cases Without Hearing is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 404). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.470 Prehearing Conferences is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 404). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.480 Hearings on Motions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 404–405). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.490 Hearings on Complaints is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 405). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.510 Transcripts is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 405). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.530 Bench Rulings and Memorandum Decisions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 405). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.560 Fees and Expenses is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 405-406). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo 2000, the commission rescinds a rule as follows:

1 CSR 15-6.580 Certifications of Records is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2001 (26 MoReg 406). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 4—Wildlife Code: General Provisions

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-4.116 Special Regulations for Areas Owned by Other Entities is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2001 (26 MoReg 646-649). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.455 is amended.

This amendment relates to hunting seasons and limits and is excepted by section 536.021, RSMo from the requirement for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.455 by opening turkey hunting in Lawrence County during the fall firearms season.

3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits

PURPOSE: This rule opens Lawrence County to turkey hunting in the fall firearms season.

(1) Turkeys may be pursued, taken, killed, possessed or transported only as permitted in this rule.

(B) Fall Firearms Season. Fall season annually will begin on the second Monday in October and be fourteen (14) days in length. A person possessing the prescribed turkey hunting permit may take two (2) turkeys of either sex during the season; provided, only one (1) turkey may be taken during the first seven (7) days of the season, and only one (1) turkey may be taken per day; except that a person under twelve (12) years of age who possesses a Youth Deer and Turkey Hunting Permit may take only one (1) turkey of either sex during the season. Turkeys may be taken only by shotgun with shot no larger than No. 4 or longbow; without the use of dogs, bait, recorded calls or live decoys; from one-half (1/2) hour before sunrise to sunset in all counties except: Dunklin, McDonald, Mississippi, New Madrid, Newton, Pemiscot and Scott. Possession of shotshells loaded with shot larger than No. 4 is prohibited while hunting turkeys. A person, while in the act of pursuing or hunting turkey on a fall firearms permit, shall not have both a firearm and longbow on his/her person.

SUMMARY OF PUBLIC COMMENTS: Seasons and limits are excepted from the requirement for filing as a proposed amendment under section 536.021, RSMo. This amendment filed April 30, 2001, effective May 15, 2001.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Definitions

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.805 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2001 (26 MoReg 649-650). No changes have been made in the text of the proposed amendment, so it is not reprinted

here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 60—Vocational and Adult Education
Chapter 120—Vocational Education**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under section 161.235, RSMo 2000, the board adopts a rule as follows:

5 CSR 60-120.080 Student Suicide Prevention Programs is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 16, 2001 (26 MoReg 209–211). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 90—Vocational Rehabilitation
Chapter 4—General Administrative Policies**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 178.600, 178.610 and 178.620, RSMo 2000, the board amends a rule as follows:

5 CSR 90-4.120 Minimum Standards for Service Providers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 212). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 90—Vocational Rehabilitation
Chapter 5—Vocational Rehabilitation Services**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 178.600, 178.610 and 178.620, RSMo 2000, the board amends a rule as follows:

5 CSR 90-5.400 Services is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on

January 16, 2001 (26 MoReg 212–213). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 90—Vocational Rehabilitation
Chapter 5—Vocational Rehabilitation Services**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 178.600, 178.610 and 178.620, RSMo 2000, the board amends a rule as follows:

5 CSR 90-5.440 Training is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 214). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 4—Unemployment Insurance**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under section 288.220, RSMo 2000, the division amends a rule as follows:

8 CSR 10-4.080 Joint Accounts is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2001 (26 MoReg 333). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 14—Operator Certification**

ORDER OF RULEMAKING

By the authority vested in the Safe Drinking Water Commission under section 640.100, RSMo 2000, the commission amends a rule as follows:

10 CSR 60-14.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2886–2889). Comments were

received and changes to the rule are reprinted here. The proposed amendment becomes effective **August 1, 2001**.

SUMMARY OF COMMENTS: A public hearing on this amendment was held January 16, 2001 and the public comment period ended January 31, 2001. At the public hearing the department testified that this proposed amendment adopts federal operator certification requirements and provides additional safeguards for the protection of public health. The rule will apply to all community water systems, regardless of size or compliance history, and all nontransient noncommunity water systems. All transient systems that use surface water or groundwater under the direct influence of surface water will be required to comply.

A descriptive system is proposed for classifying water systems, and separate classifications are established for treatment and distribution. A chief operator must be in responsible charge of the system. Process control/system integrity decisions must be made by a certified operator. A certified operator must be available or able to be contacted as needed to initiate appropriate action. Public water systems employing a contract operator will be required to have a written agreement with the operator.

Comments were received from three consulting firms, two water industry associations, three certified operators and nine public water systems.

COMMENT: An overall comment was made on the implementation time frame for these rules. The commenter stated that upon the effective date, a number of water systems will be out of compliance, a number of uncertified operators will have to get certified, and the demand for training and exams will increase. The commenter recommended a phase-in period for complying with the requirement that all operators making process control/system integrity decisions be certified and suggested a case-by-case approach, with a maximum time allowed of two years.

RESPONSE: The commission considered this comment and responded that changes to the operator certification rules have been under public discussion since August 1999. The federal guidelines were published in February 1999. Water system owners and operators have had time to become aware of the proposed requirements and have had many opportunities to provide input. Also, the grandparenting provisions in 10 CSR 60-14.020 provide a phase-in opportunity for systems not previously affected by these rules. No changes are made to this rule in response to the comment; however some changes are made to section (4) of 10 CSR 60-14.020 to help ensure that systems have sufficient time to take advantage of the phase-in opportunity that grandparenting offers.

COMMENT: A commenter stated that the proposed amendments are confusing and open to interpretation. The commenter recommended that the state rules be no stricter than the federal rules on operator certification. Another commenter expressed general support for the proposed changes, but feels that in some cases, for example, system classification in subsection (3), the rule goes beyond what is in the federal rule.

RESPONSE: The commission pointed out that there is no federal rule on operator certification. Federal guidelines published February 5, 1999 list certain baseline standards that a state operator certification program must include but leave most of the details to state determination. The areas addressed in this rule reflect baseline standards the federal guidelines require the state to address, including system classification. How a state addresses the baseline standards is discretionary. Due in part to the flexibility provided by the federal guidelines, changes to the state operator certification rules were under public discussion for more than a year before being formally proposed in the *Missouri Register*. Water system owners and operators had many opportunities to shape and influence how Missouri should meet the federal guidelines. No changes are made in response to the comment.

COMMENT: One commenter stated that the rule should also apply to transient noncommunity water systems.

RESPONSE: The rule applies to transient water systems that use surface water or groundwater under the direct influence of surface water. Since the proposed amendment does not extend the rule to transient groundwater systems, it would be unfair to include those systems at this point when there would be no opportunity for public comment. No change is made in response to the comment.

COMMENT: A commenter remarked that the definition of available in subsection (2)(A) should be more specific in regard to "promptly" and "in a timely manner."

RESPONSE: The commission responded that further attempts to define available would be counterproductive. No changes are made.

COMMENT: A commenter stated that the definitions proposed to be added to section (2) should be in the definitions rule, 10 CSR 60-2.015, and the existing definitions of operator and chief operator in 10 CSR 60-2.015(2)(C) and (2)(O) should be deleted.

RESPONSE: It is appropriate to place terms and definitions in the rule they pertain to. It has also become necessary, due to the increasing length and complexity of the rulemaking process, to time the opening of a rule very carefully. When a rule has been opened for proposed changes, it can be nearly a year before additional changes can be proposed. Proposed changes to the definitions rule are scheduled so that any necessary federal changes can be adopted by the applicable primacy deadline. The very general definitions of operator and chief operator in 10 CSR 60-2.015 are superceded by these definitions and will be deleted when that rule is opened for other changes. No changes are made.

COMMENT: A commenter requested that the federal definitions of treatment facility and distribution system be added to section (2).

RESPONSE AND EXPLANATION OF CHANGE: The commission agreed with the comment and the change is made.

COMMENT: A commenter suggested modifying the definition of certified operator in subsection (2)(B) to state: "Any individual holding a valid water treatment or water distribution certificate of any level issued by the department." The commenter believes this would eliminate the need for interpretation where the term "certified operator" is used in the rules.

RESPONSE AND EXPLANATION OF CHANGE: The commission agreed with the comment and the change is made.

COMMENT: A commenter supported exempting small community water systems from operator certification requirements.

RESPONSE: Small community water systems are not, and cannot be, exempt from operator certification requirements. No change is made.

COMMENT: A commenter suggested that paragraph (3)(B)1. should require a higher level than DS-I for systems that chlorinate.

RESPONSE: The commission considered the comment but believes the classification level is correct. No change is made.

COMMENT: Four commenters opposed having separate treatment and distribution certificates. The commenters stated that maintaining dual certification is excessive and adds unnecessary additional training and fiscal burdens to individuals who have traditionally maintained a single certificate. One of the commenters stated that narrowing the scope of a certificate diminishes its importance and could limit employment opportunities. The number of certified operators will decrease because water systems have limited funds for training costs. A commenter stated that the rule should be clarified and a single certificate should be required. One of the commenters suggested that there be one certificate for both treatment

and distribution and a separate distribution only certificate for those persons who work exclusively in distribution. Another commenter suggested adding F, G, or H certificates if necessary but require only one certificate per operator.

RESPONSE: At this point in the rulemaking process it would be difficult to justify sweeping changes to the proposed approach since there would be no opportunity for public comment on the new approach. Early involvement in the rulemaking process is critical in influencing and shaping basic approaches. The department and commission provided extensive opportunities for this input for more than a year before the proposed amendments were published.

One of the alternative approaches discussed early in the stakeholder process was additional certification levels instead of dual certification. Stakeholders did not appear to consider the dual certification approach excessive. This approach allows training to be more specific to the actual needs of the operator. The department anticipates a significant overlap in treatment and distribution training and does not expect that the additional training required of operators who chose to have dual certification will be excessive.

The rule more clearly defines the scope of a classification level, which should, if anything, enhance rather than diminish the operator's certificate. The department anticipates that the number of certified operators will increase rather than decrease. The department anticipates that some federal funding may be available to help operators of small systems meet the training requirements. No changes are made in response to these comments.

COMMENT: Paragraph (3)(B)2. provides for operators who were certified prior to the effective date of the rule to be issued automatically a distribution certificate that will expire on the same date as their treatment certificate. A commenter believes that this provision should include operators who have passed an examination but won't meet the experience requirements to actually receive the treatment certificate until after the rule is in effect.

RESPONSE: The proposed changes have been under development and available to the public since 1999. Operators have had time to plan ahead and make adjustments in anticipation of the new requirements. No change is made.

COMMENT: A commenter stated that paragraph (3)(B)2. should be moved to 10 CSR 60-14.020. Also, the commenter believes this provision is ill advised. Currently certified operators at the A, B and C levels should not be given a DS-III certificate. The commenter recommends that the department either require currently certified operators to submit an application describing distribution system experience, or issue DS-I certificates unless the operator can document distribution system experience meeting the DS-II or DS-III requirement.

RESPONSE: The commission and department believe the proposed approach is the best way of phasing in the new distribution system certification requirements. No change is made in response to the comment.

COMMENT: Two commenters opposed the proposal in subsection (3)(D) to issue a matching higher level of certificate to the chief operator of systems whose classification level is raised by the proposed new classification scheme. One commenter recommended these operators be issued a restricted certificate as a grandparented operator, or the department confirm that the system is in compliance and that the chief operator has spent at least one year at the facility. The other commenter recommended restricting the upgraded certificate to the reclassified water system. The operator's unrestricted lower level certificate would be put on hold and would be reissued if the operator leaves the upgraded water system.

RESPONSE: The commission and department believe the proposed approach is the most equitable way of adjusting to the new

classification system. It is anticipated that the classification letter will change for several systems while the systems themselves remain functionally the same. Since the chief operator is currently qualified to operate that category of systems, it is reasonable to assume that he/she continues to be qualified to do so on the effective date of the revised rule. The proposed alternatives would add a level of complexity and an administrative burden with no commensurate benefit to public health. No changes are made.

COMMENT: Two commenters recommended changes to Table 1 in section (3). One commenter recommended differentiating between groundwater systems based on size because larger facilities are more complex. The commenter also recommended that gas chlorination, particularly with one-ton containers, be classified at level C. Gas chlorine is inherently extremely dangerous and calls for a higher classification than the proposed D level. Another commenter questioned why distribution systems with surface water sources that rechlorinate are listed as a separate class from distribution systems that use gas chlorination.

RESPONSE AND EXPLANATION OF CHANGE: The suggested change to the classification level for large groundwater systems would require operators of those systems to learn surface water system requirements not relevant to their groundwater systems. The proposed change is not made. Distribution systems with surface water sources that rechlorinate are listed separately because these systems deal with more complex issues in the distribution system, such as disinfection by-products. The commission agreed with classifying gas chlorination with one-ton containers at the C level, and this change is made. The commission is also simplifying the listing for lime/soda softening from three entries to one.

COMMENT: A commenter requested that in addition to appealing a system's classification to the department as allowed under subsection (3)(E), the water system owner should have the right to a hearing before the Safe Drinking Water Commission.

RESPONSE: The appeal provisions in the rule and statutes provide adequate protection. No change is made in response to the comment.

COMMENT: Two commenters requested changes to Table 2 of section (3). Both commenters expressed the opinion that the level of expertise needed to deal with rechlorination of water in distribution system from surface water does not warrant DS-III certification. One commenter recommended changing this to DS-II and the other commenter recommended classifying distribution systems that rechlorinate according to the method of chlorinating. Also, one of these commenters stated that the level of expertise needed for a system using multiple sources fits the DS-II level instead of DS-III.

RESPONSE: Distribution systems with surface water sources that rechlorinate are listed separately because these systems deal with complex issues such as disinfection by-products. With regard to multiple sources, the commission believes systems blending water from multiple sources should be classified at the DS-III level as proposed. No changes are made to Table 2.

COMMENT: A commenter asks if he is correct in assuming that the proposed rules allow the same person to be the chief operator for both treatment and distribution.

RESPONSE: The commenter is correct. No change is requested or made.

COMMENT: A commenter pointed out that the requirement in subsection (4)(A) is to have a chief operator in responsible charge of each treatment facility and distribution system, but a system could have pressure and pumping in functional operating units separate from distribution and treatment. The system may elect to have a chief operator over this unit(s). Because this position could

impact both treatment and/or distribution, the issue of appropriate certification arises.

RESPONSE: The intent of the rules is not to require everyone to be certified but rather to provide as much flexibility as possible while ensuring that each treatment and distribution system is under the responsible charge of a chief operator and that process control/system integrity decisions are made by certified operators. The system may elect to have a chief operator over pressure and pumping. If that person is making process control/system integrity decisions regarding treatment, a treatment certificate would be required. If that person is making process control/system integrity decisions regarding the distribution system, a distribution certificate would be required. (Making decisions rather than implementing decisions made by a certified operator is a key point in determining who must be certified.) If that person is not making those decisions but instead is implementing decisions made by a certified operator, that person is not required by these rules to be certified. The system can develop its own more stringent requirements, however. No change is made.

COMMENT: Two commenters questioned the restriction in paragraph (4)(A)3. that limits a chief operator to overall responsibility for no more than one surface water treatment facility. The basis for the requirement is unclear and it may prevent water utilities from organizing their personnel in the most efficient manner. A chief operator should be allowed to develop procedures to be followed at multiple treatment plants. One of the commenters pointed out that paragraph (4)(A)3. appears to be inconsistent with subsection (4)(F) which allows contract operators to be the chief operator for multiple facilities. If a contract operator can be the chief operator for multiple treatment facilities, then utilities should be allowed to do the same with internal staff.

RESPONSE AND EXPLANATION OF CHANGE: The restriction in paragraph (4)(A)3. applies to surface water systems regardless of whether they are using a contract operator or an in-house operator. To ensure that this is clear, a cross-reference to subsection (4)(A) has been added to subsection (4)(F). Paragraph (4)(A)3. provides that the department may approve exceptions to the requirement that the same person cannot have overall responsibility for more than one surface water treatment facility. The commission is clarifying this wording.

COMMENT: Paragraph (4)(A)4. requires the system owner to provide the department with the name of the chief operator. A commenter asked who the name of the chief operator should be sent to.

RESPONSE: This existing requirement is unchanged from the rule currently in effect. The information is provided to the department. No change is made.

COMMENT: Two commenters asked for clarification of paragraph (4)(A)5., which requires the appointment of an interim operator when a chief operator is no longer able to serve. It is not clear whether the interim chief operator must be certified, and if so, at what level. One of the commenters recommended that the interim chief operator be certified no less than one class below the level required of the chief operator.

RESPONSE: Subsections (5)(A) and (5)(B) indicate that the interim operator must be certified or the system is in violation. The department will work with the system to ensure that all appropriate certification requirements are met as quickly as possible and that the quality and quantity of drinking water provided to the public remains unimpaired as a result of the change in operators. No change is made.

COMMENT: A commenter stated that the rules are unclear regarding the certification needs for those who perform maintenance

on distribution systems (main, valves, tanks, pumps, etc.) and asks that the rules clarify these certification requirements.

RESPONSE AND EXPLANATION OF CHANGE: The intent of the rules is not to require everyone to be certified but rather to provide as much flexibility as possible while ensuring that each treatment and distribution system is under the responsible charge of a chief operator and that process control/system integrity decisions are made by certified operators. The wording in subsection (4)(C) is clarified in response to the comment.

COMMENT: A commenter stated that paragraph (4)(A)6. conflicts with paragraph (4)(A)3.

RESPONSE: Paragraph (4)(A)3. states no individual shall be the chief operator for more than one surface water treatment plant unless approved by the department. Paragraph (4)(A)6. recommends a contingency plan. There does not appear to be a conflict and no change is made.

COMMENT: Two commenters pointed out that paragraph (4)(A)6. states that a system should, rather than shall, have a contingency plan in place. Items that are not mandatory should not be in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commission agreed that the requirement should be mandatory and has changed “should” to “shall.” The revised paragraph is reprinted here.

COMMENT: In regard to subsection (4)(B), two commenters pointed out the lack of a time frame for the chief operator to obtain a matching higher certificate after a system’s classification has been raised due to system modifications.

RESPONSE: This existing requirement has been in the rule for 14 years. This reclassification occurs after the system has made a modification that affects its classification level. The impact of the modifications on the system’s classification would be known well in advance of their implementation. No additional time frame should be needed. No change is made.

COMMENT: Three water systems, two water industry associations and a certified operator commented on the requirements in subsections (4)(C) and (4)(E). A water system and two water industry associations expressed concern that these subsections are confusing and contradictory in regard to who has to be certified and at what level. Two commenters suggested specifying in subsection (4)(C) that all operating personnel shall be certified at or above the D or DS-I level. Another commenter asked that all personnel be required to be certified because subsection (4)(E) requires too much of the chief operator by making the chief operator responsible for actions of noncertified personnel. One of the commenters suggested a change to the definition of certified operator would alleviate the need for interpretation when the level of certification required is not specified. The commenter suggests changing the definition to state a certified operator is: “Any individual holding a valid water treatment or water distribution certificate of any level issued by the department.”

RESPONSE AND EXPLANATION OF CHANGE: The intent of the rules is not to require everyone to be certified but rather to provide as much flexibility as possible while ensuring that each treatment and distribution system is under the responsible charge of a chief operator and that process control/system integrity decisions are made by certified operators. Federal guidelines require anyone making process control/system integrity decisions to be certified. Making independent decisions rather than implementing decisions made by a certified operator is a key point in determining who must be certified. The definition of process control/system integrity decision is modified to help clarify this. Also, the suggested change to the definition of certified operator is made. The commission agrees that the chief operator should not

be held responsible for decisions made by all others in the system and has deleted that requirement.

COMMENT: A commenter recommended that the requirements in subsection (4)(F) be applied to all systems and not just those systems using contract operators.

RESPONSE: The purpose of subsection (4)(F) is to establish requirements for those situations where the system is unable to hire an operator and instead contracts for those services. No changes are made.

COMMENT: A commenter recommended adding to subsection (4)(F) a requirement that proof of insurance be required by the system and the contract operator.

RESPONSE: This should be a management decision on the part of the public water system involved in the contract as to whether to require this or not. No change is made.

COMMENT: A commenter recommended changing the wording of paragraph (4)(F)1. as follows: "Public water systems employing a certified [chief] operator as a chief operator for their system through a contract operator (often referred to as a "circuit rider") arrangement shall have a written agreement indicating the responsibilities of the operator, including but not necessarily limited to:"

RESPONSE: The commission believes the requirement should remain as proposed. No change is made.

COMMENT: Regarding paragraph (4)(F)2., one commenter pointed out that contract operators cannot be legally responsible for non-employee decisions. Another commenter recommended adding a sentence requiring the contract operator to obtain a certificate that would allow them to be responsible for actions and decisions made in the company's name.

RESPONSE: The commission believes the requirement should remain as proposed. No change is made.

COMMENT: One commenter recommended that subsection (4)(G) state that the department will, rather than may, establish minimum operator oversight requirements for facilities with extensive instrumentation, automation and SCADA systems.

RESPONSE: Flexibility in dealing with situations involving automation is needed. The suggested change is not made.

COMMENT: Subsection (5)(C) states that surface water systems or GWUDISW systems have to do public notice if they do not have a chief operator. Two commenters recommended that all systems not having a chief operator should have to do public notification. Another commenter suggested either deleting the second sentence (which would make the third sentence moot) or making it apply to all systems. In the second sentence of subsection (5)(C), a commenter noted that the cross reference should be to section (3) rather than (4).

RESPONSE AND EXPLANATION OF CHANGE: The second and third sentences are deleted.

The commission is changing sections (2)–(5). The revised sections are printed here. The rest of the rule is adopted as proposed.

10 CSR 60-14.010 Classification of Public Water Systems and System Requirements

(2) Definitions.

(B) Certified operator. Any individual holding a valid water treatment or water distribution certificate of any level issued by the department.

(F) Process control/system integrity decisions. Day-to-day decisions that maintain or cause changes in the chemical, biological, physical or radiological quality of the drinking water. These decisions primarily reflect independent, individual judgement which when made incorrectly have the potential to place the public health

at risk or place the soundness of the water system or its ability to provide a safe, adequate and continuous supply of water at risk. These decisions are not referring to system design or modifications for which the department requires design or approval by a professional engineer.

(G) Treatment facility. Any place(s) where a community water system or nontransient non-community water system alters the physical or chemical characteristics of the drinking water. Chlorination may be considered a function of a distribution system.

(H) Distribution system. Any combination of pipes, tanks, pumps, etc. which delivers water from the source(s) and/or treatment facility(ies) to the consumer.

(3) Classification of Public Water Systems.

(A) The department will classify each treatment facility by considering the treatment facility complexity, source of water, type of treatment performed and, for surface water systems only, size. This classification is based on, but may not be limited to, the criteria in Table 1 of this rule. Other treatment technologies not listed in Table 1 will be considered on a case-by-case basis. From this classification process, the department will determine the certification level that a chief operator must have to supervise the operation of the treatment facility. Treatment facilities (except as provided in paragraph (3)(B)1. of this rule) will remain classified at the level determined prior to August 1, 2001 or will be classified as indicated by Table 1 of this rule, whichever is the higher classification.

(B) The department will classify each distribution system by size and complexity. This classification is based on, but may not be limited to, the criteria in Table 2 of this rule. Other distribution technologies will be considered on a case-by-case basis. From this classification process, the department will determine the certification level that the chief operator must have to supervise the operation of the distribution system.

1. Systems that only chlorinate, reduce the hardness of the water by ion exchange, or provide no treatment will be classified as distribution systems.

2. DS-III distribution system operator certificates shall be issued to all operators who possess a valid Missouri drinking water system operator certificate on August 1, 2001.

Table 1. Water Treatment System Classification

The highest level applicable to the system is the classification of the system.		
		Classification
Source Water	Surface Water source, with treatment facility capacity greater than 1.5 Million Gallons per Day	A
	Surface Water source, with treatment facility capacity less than or equal to 1.5 Million Gallons per Day	B
	Ground Water Under Direct Influence of Surface Water (GWUDI)	B
	Purchased water, with further treatment by the purchasing system (other than chlorination or ion exchange softening)	D
	Ground Water (Not GWUDI), with treatment other than chlorination or ion exchange softening	D
	Ground Water (Not GWUDI) or Purchased Water with chlorination or ion exchange softening only	See Classification Table 2
	Ground Water (Not GWUDI) or Purchased Water with no treatment	
Disinfection	Chlorine Dioxide	B
	Ozone	B
	Ultra Violet Light	D
	Gas Chlorination with one-ton containers	C
	Gas Chlorination, Calcium or Sodium Hypochlorination in combination with other treatment other than ion exchange softening	D
	Chloramines	D
Chemical Treatment	Chemical Oxidation (example—potassium permanganate)	C
	Coagulation—Groundwater	C
	Coagulation—Surface Water	B
	Fluoridation	D
	Ion Exchange (for purposes other than softening including processes such as nitrate removal)	C
	Lime/Soda Softening	C
	Sequestration	D
	pH, alkalinity adjustment	C
Physical Treatment	Adsorption (example—Activated Carbon)	C
	Aeration (examples—cascade, diffused, packed tower, slat tray, spray)	D
	Filtration (example—greensand, pressure, rapid gravity, slow sand)	C
	Reverse Osmosis, Membrane Filtration, Ultrafiltration	B
	Ion Exchange (for softening) is included in all treatment and distribution certifications. The level of certification required will be determined by the other treatment or distribution characteristics as appropriate	Each type and level

(4) System Requirements.

(A) The water system owner shall place the direct supervision of each treatment facility and each distribution system under the responsible charge of a chief operator.

1. The chief operator shall possess a valid certificate equal to or greater than the classification of the treatment facility or distribution system.

2. The chief operator can be responsible for both the water treatment facility and distribution system at the owner’s discretion.

3. The chief operator shall have overall responsibility for no more than one (1) surface water treatment system under one public water system identification number, unless otherwise approved by the department on a case-by-case basis.

4. The name of the chief operator shall be supplied to the department by the owner of the public water system and will be on file at all times.

5. In the event the chief operator is no longer available to serve, the owner of the public water system shall notify the department of the vacancy within ten (10) working days and shall appoint an interim operator. The interim operator shall be considered the system’s certified chief operator for the purposes of complying with 10 CSR 60-14.010 and 10 CSR 60-14.020 on a temporary basis until a properly certified chief operator is hired. Following consultation with the public water system owner, the department will establish a schedule of activities and a timeline for the system

to have a certified chief operator who has met all applicable certification requirements.

6. Public water systems shall have a contingency plan for a standby replacement chief operator to be available at all times. This may be, for example, a second employee certified at the chief operator level, a mutual assistance agreement with a neighboring system, or a pre-arrangement with a contract operator.

7. The owner shall notify the department in writing within ten (10) working days after the chief operator is replaced.

(C) All operating personnel making independent process control/system integrity decisions about water quality or quantity that affect public health must be certified. This will not typically include, for example, maintenance personnel implementing process control/system integrity decisions made by a certified operator.

(E) All process control/system integrity decisions about water quality or quantity that affect public health must be made by a certified operator based on procedures approved by the chief operator.

(F) Contract Operator Agreement.

1. Public water systems employing a certified chief operator through a contract operator ("circuit rider") arrangement to meet the requirements in subsection (4)(A) shall have a written agreement indicating the responsibilities of the operator, including but not necessarily limited to:

A. The minimum frequency of routine visits to the water treatment facility or distribution system;

B. The operator's duties and responsibilities;

C. The minimum hours the operator will be present for each routine visit;

D. The certification level required by the department for the treatment facility and/or distribution system that the operator is responsible for;

E. The level of certification held by the contract operator;

F. The minimum response time for the operator to be at the water system in the event of an emergency; and

G. The number of employees, if any, hired to assist.

2. Circuit rider operators and other contract operators who are performing the duties of chief operator shall be held accountable for operational decisions made in their stead.

3. A copy of the current agreement shall be on file at the system at all times and shall be provided to the department upon request.

(5) Violations.

(C) Any person, including any firm, corporation, municipal corporation or other governmental subdivision or agency who violates any provisions of this rule will be subject to the penalty provisions of sections 640.130 and 640.131, RSMo.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 14—Operator Certification**

ORDER OF RULEMAKING

By the authority vested in the Safe Drinking Water Commission under section 640.100, RSMo 2000, the commission is amending a rule as follows:

10 CSR 60-14.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2889-2898). Comments were received and changes to the rule are reprinted here. This proposed amendment becomes effective **August 1, 2001**.

SUMMARY OF COMMENTS: A public hearing on this amendment was held January 16, 2001 and the public comment period ended January 31, 2001. At the public hearing the department testified that this proposed amendment adopts federal operator certification requirements and provides additional safeguards for the protection of public health. Changes to certificate levels and requirements were proposed to match the new classification scheme proposed in 10 CSR 60-14.010. Separate certificates for treatment and distribution were proposed. The proposed changes include examples of actual and equivalent experience. Grandparenting requirements are proposed for systems that have never been required to comply with the operator certification rules.

Comments were received from two consulting firms, one water industry association, one certified operator, nine public water systems and one private citizen.

COMMENT: An overall comment was made on the implementation time frame for these rules. The commenter stated that upon the effective date, a number of water systems will be out of compliance, a number of uncertified operators will have to get certified, and the demand for training and exams will increase. The commenter recommended a phase-in period for complying with the requirement that all operators making process control/system integrity decisions be certified and suggested a case-by-case approach, with a maximum time allowed of two years.

RESPONSE AND EXPLANATION OF CHANGE: The commission considered this comment and responded that changes to the operator certification rules have been under public discussion since August 1999. The federal guidelines were published in February 1999. Water system owners and operators have had time to become aware of the proposed requirements and have had many opportunities to provide input. Also, the grandparenting provisions in section (4) provide a phase-in opportunity for systems not previously affected by these rules. In order to ensure that these systems have sufficient time to apply for this phase-in opportunity, the commission is revising section (4) to provide additional time for the water system owner to apply for grandparenting.

COMMENT: A commenter believes the proposed amendments are confusing and open to interpretation. The commenter recommends that the state rules be no stricter than the federal rules on operator certification.

RESPONSE: The commission pointed out that there is no federal rule on operator certification. Federal guidelines published February 5, 1999 list certain baseline standards that a state operator certification program must include but leave most of the details to state determination. The areas addressed in this rule reflect baseline standards EPA requires the state to address. How a state addresses the baseline standards is discretionary. Due in part to the flexibility provided by the federal guidelines, changes to the state operator certification rules were under public discussion for more than a year before being formally proposed in the *Missouri Register*. Water system owners and operators had many opportunities to shape and influence how Missouri should meet the federal guidelines. Several changes made throughout the order of rulemaking are for the purpose of clarifying the requirements.

COMMENT: Two commenters noted a typographical error in subsection (1)(C). The reference should be to tables 1 and 2 rather than 3 and 4.

RESPONSE AND EXPLANATION OF CHANGE: The change has been made.

COMMENT: A commenter requested that Table 1 of subsection (1)(C) clarify the minimum actual and equivalent experience

required. In this table, the experience requirement for a class C water treatment certificate is listed as one-half year. A commenter asks if this was intended to be two years as it currently is. Another commenter suggested that this should be either two years or 1 1/2 years. A third commenter noted that the phraseology is different in levels C and D, in that one says 1/2 year and the other says six months.

RESPONSE AND EXPLANATION OF CHANGE: The experience requirement for the C level was intended to be 1 1/2 years; the change is made. Also, because six months of experience credit is no longer provided for having a high school diploma, the minimum experience is adjusted accordingly. The changes are printed here.

COMMENT: A commenter pointed out that subparagraph (1)(I)1.A. indicates that operating experience is granted for water main repair, disinfection, and flushing, and asks if it is the intent of the rules to require the person performing these tasks to be certified.

RESPONSE: Only operators actually making process control/system integrity decisions are required to be certified. The definition of operating experience (subsection (1)(A)) states that experience is granted for acting upon process control/system integrity decisions. It is not necessary to be certified in order to accrue operating experience. No change is made.

COMMENT: A commenter stated that minimum education requirement in paragraphs (1)(N)1.-4. is not clear. It isn't clear if the operator needs a high school diploma or not.

RESPONSE AND EXPLANATION OF CHANGE: The education requirement is met by any one of the four items listed under subsection (1)(N): having a high school diploma, or having a GED, or completing an approved training course, or having six months of experience. Subsection (1)(N) is modified to clarify this.

COMMENT: A commenter asks if an operator who is responsible for plant operations and water treatment as well as distribution pumping needs to be certified for both treatment and distribution.

RESPONSE: If the operator is making process control/system integrity decisions for both treatment and distribution, the operator must have both certificates. Making decisions rather than implementing decisions made by a certified operator is a key point in determining who must be certified. If that person is not making those decisions but instead is implementing decisions made by another certified operator, that person is not required by these rules to be certified. The intent of the rules is not to require everyone to be certified but rather to provide as much flexibility as possible while ensuring that each treatment and distribution system is under the responsible charge of a chief operator and that process control/system integrity decisions are made by certified operators.

COMMENT: Two commenters opposed the change to subsection (2)(C) that would allow an applicant to reschedule an exam three times. The commenters stated that this would be difficult to track and would be staff-intensive.

RESPONSE AND EXPLANATION OF CHANGE: The commission believes it is important to allow an applicant to reschedule the exam but is revising the requirement from three times to two times per year. The change is printed here.

COMMENT: A commenter stated that if grandparenting is allowed, all operators at the facility should be grandparented, not just those in responsible charge.

RESPONSE: The federal guidelines allow states to offer grandparenting only to operators in responsible charge. However, the system may have other operators who are not certified implementing the

decisions of the certified operator in responsible charge. No change is made.

COMMENT: Four commenters pointed out that distribution system operator certification was not previously required. At some water systems, distribution and treatment are in separate divisions. Because the requirements for distribution certification are new and those persons making quality/quantity decisions in distribution were not required to be certified until now, all water systems should be allowed to participate in distribution certification grandparenting. Subsection (4)(A) should be specifically revised to make clear that distribution operators are eligible for grandparenting. Not to do so will cause unnecessary confusion and leave the rule open to misinterpretation.

RESPONSE AND EXPLANATION OF CHANGE: The commission agreed that grandparenting applies to distribution system operators for the reasons expressed by the commenters and has clarified the wording in subsection (4)(A).

COMMENT: A commenter asked about the format of the written application for grandparenting and to whom the application and fees are sent. The commenter asked who the owner of the water system is when the system is governed by a board.

RESPONSE AND EXPLANATION OF CHANGE: The department is developing an application form that it anticipates will be ready for use by the effective date of the rule. In order to ensure that water systems have sufficient time to take advantage of this opportunity to phase in the new requirements, the application deadline is changed to February 5, 2003.

COMMENT: Three commenters asked for an increase in the number of operators eligible for grandparenting. Two commenters requested that the limit be increased to three. This would ensure the best possible coverage of the system and ensure that at least one person is reasonably accessible at all times. Another commenter suggested that utilities or systems be allowed to petition the department for the appropriate number of grandparented certificates to operate the system. The commenter suggested that systems serving more than 10,000 people could grandparent up to six distribution certificates.

RESPONSE AND EXPLANATION OF CHANGE: The commission agreed with increasing the number of grandparented operators to three and has modified the rule accordingly.

COMMENT: A commenter pointed out that under paragraph (4)(B)1. grandparented operators are required to have one year of experience but the DS-III certificate requires three years of experience.

RESPONSE: A restricted, grandparented certificate is valid at only one system and only for an operator who has been an operator in responsible charge at that system for at least a year. The DS-III certificate obtained through the regular certification process (ungrandparented) is valid at any DS-III system. The difference in experience requirements appears justified. No change is made.

COMMENT: Subsection (4)(G) states that an operator can replace the restricted grandfathered certificate with a nonrestricted certificate by passing the examination and meeting the experience requirements. The commenter recommends specifying that the non-restricted certificate must be appropriate to the level of the water system's classification. Otherwise, an operator or the water system owner could believe that any level of certificate would suffice.

RESPONSE AND EXPLANATION OF CHANGE: The commission agreed with the comment and has revised the subsection.

COMMENT: A commenter is opposed to the requirement in paragraph (4)(H)1., which states that one of the criteria for renewing

the grandparented certificate is that the system must not be in significant noncompliance. This is a tougher standard, requiring a higher degree of compliance for these systems than other systems. There is always the possibility of noncompliance whether the system has a certified operator or not.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comment and is deleting this requirement.

COMMENT: Paragraph (4)(H)2. states that the water system owner must certify in writing to the department that the operator named on the certificate continues to perform the duties of a chief operator for the public water system. The commenter stated that there appears to be no reason for this requirement. It would cause unnecessary paperwork and should be deleted from the rule.

RESPONSE AND EXPLANATION OF CHANGE: The department needs to know as a condition of renewing the restricted, grandparented certificate that the water system owner agrees that the operator renewing the certificate continues to be an operator in responsible charge. The requirement is retained and clarified.

COMMENT: In regard to renewal requirements, a commenter asked what renewal training is required under paragraph (4)(H)4.

RESPONSE: Renewal training requirements are listed in section (8). No change is requested or made.

COMMENT: A commenter recommends defining “unqualified” more clearly in subsection (7)(A).

RESPONSE: This is an existing requirement and has been in the rule since 1987. The requirement is considered sufficiently clear. No change is made.

COMMENT: A commenter asks for an explanation of “sample tampering or selective sampling” in subsection (7)(B).

RESPONSE: Sampling criteria and requirements are specified in the monitoring and methods rules. No change is made.

COMMENT: Subsection (7)(E) states that an operator can have a hearing before the department in suspension or revocation proceedings. The commenter recommends that, given the severity of suspension or revocation, an operator should be afforded the right to a hearing before the department and a hearing before the Safe Drinking Water Commission, if so desired.

RESPONSE: The appeal provisions in the rule provide adequate protection. No change is made in response to the comment.

COMMENT: A commenter stated that the requirement in subsection (8)(B), Table 4, for separate training hours for treatment and distribution certificates is a significant time and financial burden on systems and individuals. If anyone is currently taking courses for levels A, B, C and D, those hours should also be applicable toward meeting the distribution requirement.

RESPONSE: Under subsection (8)(J), individuals certified prior to the effective date of this rule may count their approved water treatment training hours toward the first renewal of their distribution certificate. After the first renewal, training courses will count for both treatment and distribution to the extent that the courses are relevant to both topics. The department anticipates that more than half of training courses will count for both treatment and distribution renewal hours. No change is made.

COMMENT: A commenter noted a typographical error in subsections (8)(J) and (8)(K). The reference in both cases should be to 10 CSR 60-14.010(3)(B)2. The commenter further stated that this proposal is ill advised. Currently certified operators at the A, B and C levels should not be given a distribution III level certificate.

RESPONSE AND EXPLANATION OF CHANGE: The commission and department believe the proposed approach is the best way

of phasing in the new distribution system certification requirements. The typographical error is corrected; no other changes are made.

COMMENT: One commenter stated that with the low unemployment rate, increasing the number of operators will be difficult to accomplish. It will be difficult for small systems, which lack competitive benefit packages, to attract qualified personnel. The increased need for operators will also result in a higher than average turnover.

RESPONSE: The commission recognizes that the changes to the operator certification rules may increase the number of certified operators. The commission pointed out that small systems can share operators by using contract operators. Also, the department anticipates receiving federal funds for training cost reimbursement for operators of small systems. This will help increase qualified personnel. No change is requested or made.

COMMENT: One commenter stated that the private entity costs are grossly understated. The commenter stated that the fiscal note omits costs for five days of training, the cost of hiring someone to work in the operator’s place for the days he is in training, and costs of retraining due to turnover. The commenter estimates costs would be \$1,183,213 per year.

RESPONSE: Fiscal notes are based on assumptions. It is always possible for a different set of assumptions to result in a different estimate. The assumptions for this private entity fiscal note were published on page 2898 of the December 15, 2000 *Missouri Register*. The department believes that the assumptions, worksheet and summary of costs are sound and accurately reflect to the best extent possible a reasonable estimate of the cost of complying with the rule.

Meeting requirements for operator certification and certificate renewal is an individual operator’s responsibility, including attending training and payment of fees. Certificates are issued to the individual. Public water systems are not required by this amendment to reimburse training costs or hire a temporary operator for the days an operator is attending training as the commenter assumes.

COMMENT: A commenter pointed out that the last calculation in the private entity fiscal note should be \$286,340 rather than \$286340.

RESPONSE: The correction is noted. Since the amount is not changed amount, the fiscal note is not reprinted.

The commission is amending sections (1), (2), (4) and (8). All other sections are amended as proposed.

10 CSR 60-14.020 Certification of Public Water System Operators

(1) Training and Experience Required for Certification.

(C) In order to be eligible for a certificate the applicant must have accumulated actual or equivalent operational experience in accordance with Tables 1 and 2.

Table 1. Experience Requirements for a Water Treatment Certificate.

Certificate Level	Minimum Actual and Equivalent Experience
A	Five and one-half (5 1/2) years of water treatment facility operating experience (of which two (2) years may be equivalent)
B	Three and one-half (3 1/2) years of water treatment facility operating experience (of which one (1) year may be equivalent)
C	One and one-half (1 1/2) year of water treatment facility operating experience (which may be equivalent).
D	Six (6) months of water treatment facility operating experience (which may be equivalent)

Table 2. Experience Requirements for a Distribution Certificate.

Certificate Level	Minimum Actual and Equivalent Experience Requirements
DS-III	Three (3) years of water distribution system operating experience (of which one (1) year may be equivalent)
DS-II	One (1) year of water distribution system operating experience (of which 6 months may be equivalent)
DS-I	Six (6) months of distribution system operating experience (which may be equivalent)

(H) Documentation submitted for actual and equivalent experience credit consideration which does not fit previously mentioned criteria will be evaluated by the department based on time worked and the relationship to water treatment or distribution. While water system engineering, construction, and safety are water system activities, they are insufficient experience in themselves to be considered actual operating experience. Equivalent experience credit for the purpose of meeting the experience requirement is limited to the maximum years allowed in Tables 1 and 2 of this rule. (Note: The experience allowed for high school equivalency under subsection (1)(N) is in addition to this limit.)

(K) Upon successful completion of the examination, the individual will have to obtain the necessary applicable water treatment or distribution system experience within the following time frames to be considered for certification:

1. For all levels of examinations taken on or after August 1, 2001, examinees shall have eighteen (18) months from the date of the examination;
2. For A and B level examinations taken prior to August 1, 2001, examinees shall have two (2) years from the date of the examination; and
3. For C and D level examinations taken prior to August 1, 2001, examinees shall have one (1) year from the date of the examination.

(N) Education Requirement.

1. The minimum education requirement for certification is fulfilled by meeting any one (1) of the following conditions: a high school diploma; a general equivalency diploma (GED); successful completion of special department-approved training appropriate to the type of certification sought; or six (6) months of experience.
2. Training or experience used to meet the education requirement shall not be counted for equivalent experience credit. Training or experience used to meet the education requirement is not included in the maximum limit on equivalent experience in subsections (1)(C) and (1)(D).

(2) Application for Certification Examination.

(C) An individual applying to take the certification examination will be allowed to reschedule two (2) times within one (1) year of the application date. After one (1) year from the date of the initial application, the individual must reapply as required in subsections (2)(A) and (B) of this rule.

(4) Certification Without Examination (Grandparenting).

- (A) Grandparenting is permitted only to operators in responsible charge of systems that have not been required by the department to have a certified operator prior to August 1, 2001. This includes operators in responsible charge of the distribution system whose responsibilities are separate from those of the operator in responsible charge of the treatment system.
- (B) Certificates in appropriate classification type and level shall be issued without examination to no more than three (3) operators in responsible charge when the following conditions are met:
 1. The owner of the public water system attests that the individual has been an operator in responsible charge making process

control/system integrity decisions for at least one (1) year prior to the date of the application for grandparenting;

2. An application is submitted by February 5, 2003 on forms provided by the department for each operator in responsible charge being grandparented. Each application shall be signed and dated by the owner and the individual designated for grandparenting; and
3. A nonrefundable operator's certificate fee of forty-five dollars (\$45) is submitted for each certificate requested.

(C) A grandparented certificate will be valid only for the operator named on the certificate and only at the water treatment facility or distribution system named on the certificate. Any certificate issued under this provision shall be identified as restricted.

(D) If the classification of the treatment system or distribution system changes to a higher level due to design modifications, the grandparented certification will no longer be valid.

(E) If the grandparented certificate is allowed to expire, the operator must meet the requirements for regular, nongrandparented certification, including passing the appropriate examination.

(F) The operator may replace the restricted, grandparented certificate with a non-restricted water certificate appropriate to the water system's classification level at any time by passing the applicable examination and meeting the experience requirements.

(G) Grandparented operators must, within three (3) years of certification, meet all requirements for renewing the grandparented certificate. In order for a grandparented certificate to be renewed the following conditions must be met:

1. The water system owner must certify in writing to the department that the operator named on the certificate continues to be an operator in responsible charge for the public water system;
2. A completed renewal application and fee of forty-five dollars (\$45) must be submitted for each certificate; and
3. The department-approved renewal training must be completed prior to the expiration of the certificate.

(8) Certificate Renewal.

(J) Individuals certified prior to August 1, 2001 may count their approved water treatment training hours toward the first renewal of their distribution certificate issued under 10 CSR 60-14.010(3)(B)2.

(K) The first time an operator renews a distribution certificate issued under 10 CSR 60-14.010(3)(B)2. the operator may elect to receive a distribution certificate of a lower level if the lower certification level is, at a minimum, equal to the classification of the distribution system they operate.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 14—Operator Certification

ORDER OF RULEMAKING

By the authority vested in the Safe Drinking Water Commission under section 640.100, RSMo 2000, the commission amends a rule as follows:

10 CSR 60-14.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2000 (25 MoReg 2899-2901). Comments were received and changes to the rule are reprinted here. This proposed amendment becomes effective **August 1, 2001**.

SUMMARY OF COMMENTS: A public hearing on this amendment was held January 16, 2001 and the public comment period ended January 31, 2001. At the public hearing the department testified that this proposed amendment adopts federal operator

certification requirements and provides additional safeguards for the protection of public health. The proposed amendment also includes examples of acceptable and unacceptable training.

Comments were received from one consulting firm, two water industry associations, and two public water systems.

COMMENT: An overall comment was made on the implementation time frame for these new regulations. Upon the effective date, a number of water systems will be out of compliance, a number of uncertified operators will have to get certified, and the demand for training and examinations will increase. The commenter recommends a phase-in period for complying with the requirement that all operators making process control/system integrity decision be certified and suggests a case-by-case basis may work best, with a maximum time allowed of two years.

RESPONSE: The changes made by this amendment do not appear to require an implementation schedule. No changes are made.

COMMENT: A commenter believes the proposed amendments are confusing and open to interpretation. The commenter recommends that the state rules be no stricter than the federal rules on operator certification.

RESPONSE: The commission pointed out that there is no federal rule on operator certification. Federal guidelines published February 5, 1999 list certain baseline standards that a state operator certification program must include but leave most of the details to state determination. Changes to the state operator certification rules were under public discussion for more than a year before being formally proposed in the *Missouri Register*. Water system owners and operators have had many opportunities to shape and influence how Missouri should meet the federal guidelines. No changes are made in response to the comment.

COMMENT: Commenters representing two water industry associations expressed concern about subsection (1)(A), which states training will be based on the level of certification held and the knowledge, skills, and abilities the person may need in his/her performance of duties. They asked for clarification on what this means and expressed concern about increased costs for the state and water systems. Training organizations, which base many training events on income from fees, will discontinue to offer advanced training if that training is approved only for a small percentage of operators. Both commenters stated that many of their associations' members feel this subsection should be removed.

RESPONSE AND EXPLANATION OF CHANGE: The federal guidelines require states to "establish training requirements for renewal based on the level of certification held by the operator." The commission believes the rule should reflect the federal wording and has made that change.

COMMENT: One commenter stated that subsection (1)(B) adds nothing to the regulation as it is a recommendation, but also stated that this implies that each training course should include a section on new regulations. The commenter recommended adding "new regulations" to the list of accepted training topics listed in section (2).

RESPONSE AND EXPLANATION OF CHANGE: It would be difficult to over-emphasize the need for training on new regulations. By saying "should" rather than "shall," the rule gives the trainers the option of including new regulations when appropriate to the training topic and not including new regulations when it isn't. The commission agrees with adding "regulations" to the list of accepted training topics in section (2) and that change is made.

COMMENT: Under subsections (2)(G) and (3)(G), applied computer classes intended for use at water utilities are acceptable renewal training courses but general computer subjects are not. A commenter pointed out that water systems are increasingly relying on computer-related skills for operations and information gather-

ing and tracking. Many small system operators have limited or no computer skills. Basic computer courses are needed before complex applied water utility software can be understood. Operators should not be denied credit for acquiring basic computer skills needed to properly use computer technology. The commenter recommends that general computing subjects either be completely accepted as a renewal training topic, or that they be given the same status as safety, supervisory, management, administration, and financial training.

RESPONSE AND EXPLANATION OF CHANGE: The commission agreed that basic computer courses should count for renewal credit. Subsection (3)(G) is deleted and the word "applied" is deleted from subsection (2)(G). Subsection (1)(C) is also amended to include general computer courses with safety, supervisory, management, administration, and financial training.

COMMENT: One commenter stated that the private entity costs are understated. The commenter stated that the fiscal note omits costs for five days of training, the cost of hiring someone to work in the operator's place for the days he is in training, and costs of retraining due to turnover. The commenter estimates costs would be \$2,521,911 per year.

RESPONSE AND EXPLANATION OF CHANGE: Meeting operator certificate renewal requirements is the responsibility of the operator to whom the certificate is issued, including attending training and payment of fees. Public water systems are not required by this amendment to reimburse training costs or hire a temporary operator for the days an operator is attending training as the commenter assumes. The amendment to this rule only clarifies what types of training will be credited toward meeting the renewal training requirements in 10 CSR 60-14.020. The department believes its reasoning is sound and accurately reflects to the best extent possible a reasonable estimate of the cost of complying with the changes made by the amendment.

The commission is amending sections (1)-(3). The changes are printed here and the rest of the rule is adopted as proposed.

10 CSR 60-14.030 Operator Training

(1) Only training related to water system operations and maintenance, treatment facilities or distribution systems approved by the department will be given credit.

(A) Training requirements for renewal will be based on the level of certification held by the operator.

(C) Not more than one-half (1/2) of the total renewal training hours required in a renewal period shall be credited from safety, supervisory, management, administration and financial training and general computer courses.

(2) The following are examples of acceptable training for renewal credit and are not intended to be all-inclusive. Renewal training may include:

(A) Information on regulations, operations, maintenance, construction, testing, record keeping, and repair of equipment including pumps, control valves, altitude valves, fire hydrants, flush hydrants, chlorinators, chemical feeders, elevated tanks, standpipes, reservoirs, pressure tanks, bladder tanks, filters, backflow devices, meters, control systems, and standby power generators;

(G) Computer classes directly intended for use at water utilities. Examples include but are not limited to: Supervisory Control and Data Acquisition (SCADA) and other water system operational programming, spreadsheets and databases for tracking and trending laboratory results, scheduling and tracking maintenance. Similar training intended for other types of utilities will be considered on a case-by-case basis.

(3) The following examples provide guidance on unacceptable training for renewal credit and are not intended to be all-inclusive:

(A) Introduction to English;

(B) History;

- (C) Welding;
- (D) Small motor repair;
- (E) Lawnmower safety; and
- (F) Commercial drivers license training.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 25—Motor Vehicle Financial Responsibility

ORDER OF RULEMAKING

By the authority vested in the Director of Revenue under section 303.290, RSMo 2000, the director amends a rule as follows:

12 CSR 10-25.030 Hearings Held Pursuant to Section 303.290.1, RSMo is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2001 (26 MoReg 345). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.050 Funding Formula and Fiscal Management is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2001 (26 MoReg 406-412). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 9—Certification

ORDER OF RULEMAKING

By the authority vested in the Division of Aging under section 198.079, RSMo 2000, the division amends a rule as follows:

13 CSR 15-9.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 2, 2001 (26 MoReg 53-56). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Division received eleven (11) separate comments from one (1) organization during the thirty day comment period.

COMMENT: Section (1)(A) This is the definition of “certification.” The current regulation states that it “means the determination by the Division of Aging or the Health Care Financing Administration that a skilled nursing or intermediate care facility (SNF/ICF) is in compliance with all federal requirements and is approved to participate in the Medicaid or Medicare programs.” The word substantial should be added before the word compliance in this regulation. While this is not a new definition, since the Division of Aging is changing the regulations it should make this change to make this regulation consistent with HCFA regulations. RESPONSE AND EXPLANATION OF CHANGE: The division agrees with this comment and has added the word “substantial” before the word “compliance” in subsection (1)(C) and throughout the rule where applicable. The division has also added the word licensed before the phrase “skilled nursing or intermediate care facility.”

COMMENT: Section (1)(C) This says the Division of Aging is a division of the Department of Social Services. However, by the time the proposed amendment is effective, it may be a unit of the Department of Health. We point this out to the Division of Aging so that it can be changed if necessary before final publication. The same is true for (1)(H).

RESPONSE: Although the division recognizes the reason for this comment, the division does not have the authority to make this change at this time.

COMMENT: Section (9) The most significant change which would be made by subparagraph (9) is to impose severe limitations on the effective date of changes in the Medicare and Medicaid certified units in a nursing facility. The current regulation restricts the number of increases to two increases during each facility fiscal year. The new regulation retains this limitation with a further qualification that there can be one increase and one decrease but not two decreases in one facility fiscal year. The first change can be done only at the beginning of the facility fiscal year, and the second change can be done at the beginning of a calendar quarter within the fiscal year. All changes require 45 days advance notice.

Therefore, if an operator would want to make any change in the Medicaid certified beds in the facility, the operator would need to give notice to the licensure unit 45 days before the end of the facility’s fiscal year. The change would be effective at the beginning of the facility’s fiscal year. If one change were made at the beginning of the fiscal year, presumably the facility would not be able to make any changes during the year. The regulation states that “the first change can be done only at the beginning of the fiscal year...” (emphasis added).

This change seems to be an effort to make the state regulation similar to a federal regulation concerning Medicare certification as interpreted and applied in Medicare Transmittal No. 408, dated February 1, 1999. In Transmittal No. 408, the *Medicare Provider Reimbursement Manual* was amended to impose limitations on changes to Medicare beds within a skilled nursing facility. Transmittal No. 408 states that a provider must submit a written request for changes in beds at least 120 days before the beginning of the provider’s cost report year or the cost reporting quarter if the facility had no change at the beginning of its cost reporting year. A copy of Transmittal No. 408 is enclosed, along with a copy of a letter dated March 4, 1999, to HCFA in response to Transmittal No. 408.

Since Transmittal No. 408 was issued, the certification unit at the Division of Aging has been following it only with regard to Medicare certified beds. The certification unit has not followed Transmittal No. 408 in making changes to Medicaid beds. If

subparagraph (9) is adopted as a part of the proposed amendment, any facility in the state which wants to modify its Medicaid bed configuration will have to give a notice 45 days in advance of the end of its fiscal year and have the change effective at the beginning of its fiscal year.

There is some confusion in the drafting of this subparagraph. Subparagraph (9) provides, in part, as follows:

"The first change can be done only at the beginning of the fiscal year, and the second change can be done effective at the beginning of a calendar quarter within that fiscal year." (emphasis added)

If this provision is to be followed literally, a great deal of confusion could result. The first change in beds must be effective only at the beginning of a fiscal year. The second change would not be effective at the beginning of a fiscal quarter, but at the beginning of a calendar quarter. If the facility has a fiscal year which is different from the calendar year, the fiscal quarters may also be different from the calendar quarters. We ask that the current regulation and policy in this regard be retained. The proposal will create unnecessary confusion. There is no Federal mandate that the state adopt this change. Facilities today need more, not less, flexibility. **RESPONSE AND EXPLANATION OF CHANGE:** This change in the regulation reflects HCFA's direction to the state survey agency as contained in Transmittal #16, Section 3202, of the *State Operations Manual*, effective May 2000, that applies these limitations on bed changes to both Medicaid and Medicare beds. The division has, however, made the appropriate revisions by changing the terms "fiscal" year and "calendar" quarter to "cost reporting" year or quarter throughout this rule. The definition of "cost reporting year" has been added to the Definition section as (1)(B), with all remaining definitions relettered accordingly.

COMMENT: Section (11) The first sentence of this revised regulation does not make sense. It is not a full sentence. The new regulation reads as follows:

"If it is determined by the division that a facility certified to participate in Medicaid or Medicare does not comply with federal regulations at the time of a federal survey, complaint investigation or state inspection, the division shall utilize regulations and procedures contained in the following sources which are incorporated by reference in this rule:"

At the end of this amended subparagraph is a list of the "sources which are incorporated by reference in this rule," which the Division of Aging will use in deciding whether a facility is in compliance with federal regulations during a survey, complaint investigation, or state licensure inspection. The subparagraph also states that all of these materials are "incorporated by reference in this rule." Therefore, the materials are made, in effect, into Missouri regulations. Many of the items on the list are not surprising. However, the list includes The *State Operations Manual* ("SOM"), published by HCFA, and "survey and certification regional letters."

The SOM should not be treated as a Missouri regulation. The SOM constitutes instructions by HCFA to state agencies (such as the Division of Aging) on the method by which they should conduct surveys. The survey and certification regional letters should not be treated as regulations because the majority, if not all, of these documents are not made available to operators. If the survey and certification regional letters would be made into regulations by reference, long-term care facilities would be required to comply with interpretations which have never been provided to them. This would violate their due process rights.

Therefore, the SOM and the survey and certification regional letters should be removed from the list of items which are incorporated by reference.

RESPONSE AND EXPLANATION OF CHANGE: The division agrees that the instructional materials on how the state is to con-

duct federal surveys should not be incorporated by reference in this section of the rule.

COMMENT: The third item on the list is "42 CFR Chapter IV, subparts E and F." This appears to be an error. Apparently, the drafters of the proposed amendment left out the CFR part which was intended to be included.

RESPONSE AND EXPLANATION OF CHANGE: The division has revised the list of materials contained in subsections (11)(A) through (I), combined where appropriate, and relettered accordingly.

COMMENT: The current regulation requires a revisit to be conducted within forty days after a federal survey at which a facility is found not to be in substantial compliance. The proposed amendment would delete the revisit requirement without replacing it with any similar provision. This could be detrimental to a facility which receives such a survey finding. We ask the regulation remain as is.

RESPONSE: The division has determined that no change should be made at this time. The forty (40) day revisit requirement was superseded by the current procedure contained in Transmittal No. 13 of the SOM that went into effect December 15, 1999.

COMMENT: Section (12) This would be the new regulation concerning a facility which is decertified. Under the current regulation, a facility which is decertified can be recertified "when the reasons for the decertification no longer exist." The operator must submit a letter stating that it is in compliance. The Division of Aging conducts a revisit "concentrating on the areas that caused the decertification." Under the proposed amendment, a facility which is decertified would be required to make "application for initial participation." In other words, the provider which is decertified would be treated as if it had never been in the program. Also, under the new regulation, the effective date of participation would be the date the facility is found in substantial compliance with all federal requirements.

COMMENT: Under this proposed amendment, once a facility would be decertified from the Medicaid program, it may have a long waiting period to return to the Medicaid program. This will result in unnecessary dislocation of Medicaid residents who may be required to be moved during the decertification period. We ask this not be adopted.

COMMENT: The second to last sentence of the proposed new subparagraph (12) states that in order for a decertified facility to be readmitted to Medicaid participation, it must "also comply with all federal participation requirements." To be consistent with HCFA requirements, this should be modified to require the facility to "also substantially comply." The last sentence of subparagraph (12) states that the effective date of recertification is the date the facility is found in "substantial compliance." Thus, the last two sentences of subparagraph (12) are inconsistent. We ask that the suggested modification be adopted.

RESPONSE AND EXPLANATION OF CHANGE: The amendments to this regulation reflect the current HCFA requirements for decertified facilities seeking readmission to the Medicaid program as contained in Section 2016 of the *State Operations Manual*. There is no requirement for a long waiting period for readmission to the Medicaid program, since once the division receives the application, regional office survey staff will perform the survey at the earliest possible date. If the facility is found in substantial compliance with the federal requirements for certification in the Medicaid program, then the date of initial certification will be that date. The division does agree, however, that the last two sentences in section (12) are inconsistent and the division has changed the language accordingly.

13 CSR 15-9.010 General Certification Requirements**(1) Definitions.**

(A) Certification means the determination by the Division of Aging or the Health Care Financing Administration that a licensed skilled nursing or intermediate care facility (SNF/ICF) is in substantial compliance with all federal requirements and is approved to participate in the Medicaid or Medicare programs.

(B) Cost reporting year means the facility's twelve (12)-month fiscal reporting period covering the same twelve (12)-month period that the facility uses for its federal income tax reporting.

(C) Distinct part means a portion of an institution or institutional complex that is certified to provide SNF or NF services. A distinct part must be physically distinguishable from the larger institution and must consist of all beds within the designated area. The distinct part may be a separate building, floor, wing, ward, hallway or several rooms at one end of a hall or one side of a corridor.

(D) Division means the Division of Aging (DA), Missouri Department of Social Services.

(E) HCFA means the Health Care Financing Administration section of the United States Department of Health and Human Services (HHS).

(F) ICF/MR means intermediate care facility for mentally retarded.

(G) Medicaid means Title XIX of the federal Social Security Act.

(H) Medicare means Title XVIII of the federal Social Security Act.

(I) Nursing facility (NF) means an SNF or ICF licensed under Chapter 198, RSMo which has signed an agreement with the Department of Social Services to participate in the Medicaid program and which is certified by the Division of Aging. As used within the contents of this rule, licensed SNFs, SNF/ICF and ICFs participating in the Medicaid program are subject to state and federal laws and regulations for participation as an NF.

(J) Skilled nursing facility (SNF) means an SNF licensed under Chapter 198, RSMo which has a signed agreement with the HCFA to participate in the Medicare program and which has been recommended for certification by the Division of Aging.

(K) Title XVIII means the Medicare program as provided for in the federal Social Security Act.

(L) Title XIX means the Medicaid program as provided for in the federal Social Security Act.

(2) An operator of an SNF or ICF licensed by the division electing to be certified as a provider of skilled nursing services under the Title XVIII (Medicare) or NF services under the Title XIX (Medicaid) program of the Social Security Act; or an operator of a facility electing to be certified as an ICF/MR facility under Title XIX shall submit application materials to the division as required by federal law and shall comply with standards set forth in the *Code of Federal Regulations* (CFR) of the United States Department of Health and Human Services in 42 CFR chapter IV, part 483, subpart B for nursing homes and 42 CFR chapter IV, part 483, subpart I for ICF/MR facilities, as appropriate.

(4) Any facility certified for participation as an NF in the Title XIX Medicaid program electing to participate in the Title XVIII Medicare program shall submit an application signed and dated to the division's central office. The division will recommend Medicare certification to the HCFA effective the date the application material is received by the division or a subsequent date if requested by the provider, provided the facility was in compliance with all federal and state regulations for SNFs at the last survey conducted by the division and provided the facility's application is complete and has been approved by the Medicare fiscal intermediary.

(9) If a facility certified to participate in the Title XIX (Medicaid) or Title XVIII (Medicare) program elects to change the size of its

distinct part, it must submit a written request to the Licensure/Certification Unit or the ICF/MR Unit of the division, as applicable. The request shall specify the room numbers involved, the number of beds in each room and the facility cost reporting year end date. The request must include a floor diagram of the facility and a signed DA-113 form, Bed Classification for Licensure and Certification by Category. A facility is allowed two (2) changes in the size of its distinct part during the facility fiscal year. This may be two (2) increases or one (1) increase and one (1) decrease. It may not be two (2) decreases. The first change can be done only at the beginning of the fiscal year and the second change can be done effective at the beginning of a calendar quarter within that fiscal year. All requests must be submitted to the Licensure/Certification Unit or the ICF/MR Unit of the division at least forty-five (45) days in advance. Any facility wishing to eliminate its distinct part to go to full certification may do so effective at the beginning of the next fiscal year with forty-five (45) days notice. The distinct part may be reestablished only at the beginning of the next fiscal year. A facility may change the location of the distinct part with thirty (30) days notice to the Licensure/Certification Unit or the ICF/MR Unit of the division.

(11) If it is determined by the division that a facility certified to participate in Medicaid or Medicare does not comply with federal regulations at the time of a federal survey, complaint investigation or state licensure inspection, the division shall take enforcement action using the regulations and procedures contained in the following sources:

- (A) 42 CFR chapter IV, part 431, subpart D;
- (B) 42 CFR chapter IV, part 442;
- (C) 42 CFR chapter IV, subparts E and F;
- (D) Sections 1819(h) and 1919(h) of the Social Security Act;
- (E) 42 U.S.C. 1396(r);
- (F) The *State Operations Manual* (SOM) (HCFA Publication 7);
- (G) Survey and Certification Regional Letters;
- (H) Sections 198.026 and 198.067, RSMo; and
- (I) 13 CSR 70-10.015 and 13 CSR 70-10.030.

(12) If a facility certified to participate in the Medicaid Title XIX program has been decertified as a result of noncompliance with the federal requirements, the facility can be readmitted to the Medicaid program by submitting an application for initial participation in the Medicaid program. After having received the application, the division shall conduct a survey at the earliest possible date to determine if the facility is in substantial compliance with all federal participation requirements. The effective date of participation will be the date the facility is found to substantially comply with all federal requirements.

**Title 20—DEPARTMENT OF INSURANCE
Division 10—General Administration
Chapter 1—Organization**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

**20 CSR 10-1.020 Interpretation of Referenced or Adopted
Material is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 251). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 1—Financial Solvency and Accounting
Standards

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Insurance under sections 354.485, 354.120, 354.485 and 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 200-1.020 Accounting Standards and Principles is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 251-252). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 1—Financial Solvency and Accounting
Standards

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Insurance under section 354.485, RSMo 2000, the director amends a rule as follows:

20 CSR 200-1.040 Financial Standards for Health Maintenance Organizations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 252). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 1—Financial Solvency and Accounting
Standards

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Insurance under section 354.723, RSMo 2000, the director amends a rule as follows:

20 CSR 200-1.050 Financial Standards for Prepaid Dental Plans is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 252-253). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 1—Financial Solvency and Accounting
Standards

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Insurance under sections 374.045 and 376.350, RSMo 2000, the director amends a rule as follows:

20 CSR 200-1.110 Qualifications of Actuary or Consulting Actuary is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 253). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 1—Financial Solvency and Accounting
Standards

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Insurance under sections 374.045, 376.380, 376.390, 376.405, 376.410 and 376.670, RSMo 2000, the director amends a rule as follows:

20 CSR 200-1.140 Minimum Valuation Standards For Life, Accident and Health and Annuity Contracts is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 253-256). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE
Division 500—Property and Casualty
Chapter 10—Mortgage Guaranty Insurance

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 500-10.200 Financial Regulation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2001 (26 MoReg 256). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
Alliance Credit Union 575 Rudder Road Fenton, MO 63026	Those who work or reside in zip codes 63304, 63366 and 63367

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten business days after publication of this notice in the Missouri Register.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
Glassworkers Credit Union 523 S. Festus Festus, MO 63026	Persons living or working in Jefferson County & Ste. Genevieve County & family members & organizations of such persons.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten business days after publication of this notice in the Missouri Register.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
City Utilities Employees Credit Union 818 N. Benton Springfield, MO 65802	Community residents & workers of Greene & Christian Counties

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten business days after publication of this notice in the Missouri Register.

**Title 19—DEPARTMENT OF HEALTH
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program**

APPLICATION REVIEW SCHEDULE

DATE FILED:
APPLICATION PROJECT NO. &
NAME/COST & DESCRIPTION/
CITY & COUNTY

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for the June 4, 2001, Certificate of Need meeting. These applications are available for public inspection at the address shown below:

04/20/01

#3116 NP: Liberty Terrace Care Center,
2201 Glenn Hendren Drive,
Liberty 64068 (Clay County),
\$65,000, Long term care (LTC) bed expansion through
the purchase of 13 skilled nursing facility beds
from Care Center of Kansas City,
5900 Swope Parkway,
Kansas City 64130 (Jackson County)

04/24/01

#3112 RP: Blue Castle of the Ozarks West
611 West Jackson
Bolivar 65613 (Polk County)
\$201, LTC bed expansion through the purchase of
one residential care facility bed from Blue
Castle of the Ozarks East,
342 East Broadway,
Bolivar 65613 (Polk County)

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received by May 25, 2001. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

For additional information contact
Donna Schuessler, 573-751-6403.

Construction Transient

The following is a list of all construction contractors performing work on construction projects in Missouri who are known by the Department of Revenue to be transient employers pursuant to Section 285.230, RSMo. This list is provided as a guideline to assist public bodies with their responsibilities under this section that states, "any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by Section 285.230 before such entity issues a building permit to the transient employer."

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
A & J CONSTRUCTION CO	RT 1 BOX 45	FLORIS	IA	52560
A FISCHER BUILDERS INC	814 OHIO ST	QUINCY	IL	62301
ABELL PEST CONTROL INC	4921 FERNLEE AVE	ROYAL OAK	MI	48073
AC LEADBETTER & SON INC	110 ARCO DR	TOLEDO	OH	43615
ACE/AVANT CONCRETE CONSTRUCTION CO INC	109 SEMINOLE DR	ARCHDALE	NC	27263
ACI MECHANICAL CORPORATION	3116 SOUTH DUFF AVE	AMES	IA	50010
ACI MECHANICAL INC	3116 S DUFF AVE	AMES	IA	50010
ADAMS DOOR CO INC	6550 NE 14TH ST	DES MOINES	IA	50313
ADDISON CONSTRUCTION CO	1526 HORSE CREEK RD	CHEYENNE	WY	82009
ADUDDLELL ROOFING & SHEET METAL INC	14220 S MERIDIAN	OKLAHOMA	OK	73173
ADVANCED ELECTRICAL SYSTEMS INC	33867 W 287TH ST	PAOLA	KS	66071
ADVANCED PROTECTIVE COATING INC	2530 BAYARD ST	KANSAS CITY	KS	66105
AEI INC	735 GLASER PKWY	AKORN	OH	44306
AERIAL SOLUTIONS INC	7074 RAMSEY FORD ROAD	TABOR CITY	NC	28463
AGRA FOUNDATIONS INC	10108 32ND AVE W C-3 #A2	EVERETT	WA	98204
AIDE INC	2510 WADE HAMPTON BLVD	GREENVILLE	SC	29606
ALL IOWA CONTRACTING CO	5613 MCKEVETTE RD	WATERLOO	IA	50701
ALLIANCE INTEGRATED SYSTEMS INC	1500 STUDEMONT	HOUSTON	TX	77007
ALLIED STEEL CONSTRUCTION CO LLC	2211 NW FIRST TERRACE	OKLAHOMA CITY	OK	73107
ALLIED UNIKING CORPORATION INC	4750 CROMWELL AVE	MEMPHIS	TN	38118
ALLSTATE SPECIALTY CONSTRUCTION INC	32700 W 255TH ST	PAOLA	KS	66071
AMAN ENVIRONMENTAL CONSTRUCTION INC	100 CALIFORNIA ST TX DEPT	SAN FRANCISCO	CA	94111
AMERICAN IRONWORKS INC	100 S MAIN	CUTLER	IL	62238
AMERICAN MASONRY CO	1016 W EUCLID	PITTSBURG	KS	66762
AMERICASDOCTOR.COM COORDINATORS SERVICES INC	3315 S 23RD STR 108	TACOMA	WA	98405
ANDERSEN TRENCHING & EXCAVATING INC	17263 SUMAC RD	HONEY CREEK	IA	51542
ANTIGO CONSTRUCTION INC	2520 N CLERMONT ST	ANTIGO	WI	54409
API INC	2366 ROSE PL	ST PAUL	MN	55113
APPLICATION CONTRACTORS SERVICES IN	14409 W EDISON DR #13A	NEW LENOX	IL	60451
ARCHITECTURAL GLAZING PROFESSIONALS	11655 CLARE RD	OLATHE	KS	66061
ARGUSS COMMUNICATIONS GROUP INC	DOVER RD	EPSOM	NH	03234
ARKANSAS CONTRACTORS	1308 CHURCH	BARLING	AR	72952
ARNOLD & MADSON INC	1995 CENTURY AVE SO	WOODBURY	MN	55125

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
ASPHALT STONE COMPANY	520 N WEBSTER	JACKSONVILLE	IL	62650
ASSOCIATED ELECTRICAL SERVICES LLC	1225 COPPER CRK DR STE J	PLEASANT HILL	IA	50327
AUGERS UNLIMITED INC	14910 METROPOLITAN AVE	BONNER SPRINGS	KS	66012
AUTRY CONSTRUCTION INC	140 E 3RD	BAXTER SPRINGS	KS	66713
B & B CONTRACTORS INC	13745 SEMINOLE DR	CHINO	CA	91710
B & B DRYWALL CO INC	10567 WIDMER	LENEXA	KS	66215
B & B PERMASTORE INC	6750 W 75TH STE 1A	OVERLAND PARK	KS	66204
B & D ELECTRIC INC	P O BOX 43	STAMPS	AR	71860
BADGER INDUSTRIAL CONTRACTORS INC	105 FAIRVIEW RD	ASHEVILLE	NC	28803
BALL CONSTRUCTION INC	13922 WEST 108TH ST	LENEXA	KS	66215
BARROWS EXCAVATION INC	49 COUNTY RD #404	BERRYVILLE	AR	72616
BARTLETT NUCLEAR INC	60 INDUSTRIAL PARK RD	PLYMOUTH	MA	02360
BASTIAN MATERIAL HANDLING	9820 ASSOCIATION CT	INDIANAPOLIS	IN	46280
BAZIN EXCAVATING INC	15233 BROADMOOR	OVERLAND PARK	KS	66283
BE & K ENGINEERING COMPANY	2000 INTERNATIONAL PK DR	BIRMINGHAM	AL	35243
BEL CLAIR ELECTRIC INC	912 S BELT W	BELLEVILLE	IL	62220
BENCHMARK INC	6065 HUNTINGTON CT NE	CEDAR RAPIDS	IA	52402
BERNIE JANNING TERRAZZO & TILE INC	17509 HWY 71	CARROLL	IA	51401
BEST PLUMBING & HEATING	421 SECTION OD	SCAMMON	KS	66773
BEW CONSTRUCTION CO INC	1319 MAIN ST	WOODWARD	OK	73801
BILL DAVIS ROOFING LC	628 VERMONT	LAWRENCE	KS	66044
BJ ERECTION CORPORATION	16626 MILES AVE	CLEVELAND	OH	44128
BLACKSHIRE CONSTRUCTION INC	ROUTE 14 BOX 942	ELIZABETH	WV	26143
BLAZE MECHANICAL INC	15755 S 169 HWY STE E	OLATHE	KS	66062
BLICKS CONSTRUCTION CO INC	LOCK & DAM RD	QUINCY	IL	62301
BOB FLORENCE CONTRACTOR INC	1934 S KANSAS AVE	TOPEKA	KS	66612
BOB MUEHLBERGER CONCRETE INC	5726 MERRIAM DR	MERRIAM	KS	66203
BONNEVILLE CONSTRUCTION CO INC	4075 W DESERT INN RD # B	LAS VEGAS	NV	89102
BOYD ELECTRIC	3315 N 70TH ST	KANSAS CITY	KS	66109
BRADEN CONSTRUCTION SERVICES INC	5110 N MINGO RD	TULSA	OK	74117
BRB CONTRACTORS INC	400 W CURTIS	TOPEKA	KS	66608
BRIGHTON PAINTING CO	339 OLD ST LOUIS RD	WOOD RIVER	IL	62095
BRINK ELECTRIC CONSTRUCTION CO	2950 N PLAZA DR	RAPID CITY	SD	57702
BROWNING WELDING SERVICE INC	163 SHAW BRIDGE ROAD	GREENBRIER	AR	72058
BUCKLEY ROOFING CO INC	3601 N HYDRAULIC	WICHITA	KS	67219
BUILT WELL CONSTRUCTION CO	MAIN ST HWY 279 S	HIWASSE	AR	72739
C & C CONTRACTING INC	222 SOUTH SECOND ST	ORLEANS	IN	47452
C IBER & SONS INC	3212 N MAIN	EAST PEORIA	IL	61611
CALLS METAL BLDG ERECTORS INC	8128 12TH ST	SOMERS	WI	53171
CAPITAL INSULATION INC	3210 NE MERIDEN RD	TOPEKA	KS	66617
CARNEY DEMOLITION	303 S HALSTED	CHICAGO	IL	60661
CARTER MOORE INC	1865 E MAIN ST STE F	DUNCAN	SC	29334

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CAS CONSTRUCTION INC	501 NE BURGESS	TOPEKA	KS	66608
CASE FOUNDATION CO	1325 W LAKE ST	ROSELLE	IL	60172
CASHATT & SONS CORP	BOX 74	RED OAK	IA	51566
CCC GROUP INC	5797 DIETRICH RD	SAN ANTONIO	TX	78219
CD PETERS CONSTRUCTION CO	IL RT 3 & W PONTOON RD	GRANITE CITY	IL	62040
CENTRAL CEILING SYSTEMS INC	105 INDUSTRIAL PARK	DEERFIELD	WI	53531
CENTRAL FOUNDATION INC	915 MARION RD S	CENTRAL CITY	IA	52214
CENTRAL ILLINOIS TILE CO	3302 N MATTIS AVE	CHAMPAIGN	IL	61821
CENTRAL STATES CONTRACTING SERVICES	610 S 78TH ST	KANSAS CITY	KS	66111
CENTRAL STATES ENVIRONMENTAL SERVIC	609 AIRPORT ROAD	CENTRALIA	IL	62801
CENTURY MECHANICAL CONTRACTORS INC	15480 S 169 HWY	OLATHE	KS	66051
CHALLENGE CONSTRUCTION	PO BOX 1509	MANVEL	TX	77578
CHANCE CONSTRUCTION CO	ITALY & BARBER ST	HEMPHILL	TX	75948
CHANCELLOR & SON INC	7474 RALEIGH LAGRANGE RD	CORDOVA	TN	38018
CHESTER PHILLIPS CONSTRUCTION COMPANY	1501 N UNIVERSITY STE 740	LITTLE ROCK	AR	72207
CLARK CORPORATION THE	141 CATHERINE ST	EAST PEORIA	IL	61611
CLEVENGER CONTRACTORS INC	NAPLES LANE RR1 PO BOX 19	BLUFFS	IL	62621
CLIFFORD LEE & ASSOCIATES	292 MELVIN HARRIS RD	MANCHESTER	GA	31816
COAST TO COAST BUILDERS INC	750 E FUNSTON	WICHITA	KS	67211
COASTAL GUNITE CONSTRUCTION CO	16 WASHINGTON ST	CAMBRIDGE	MD	21613
COE CONSTRUCTION INC	2302 E 13TH ST	LOVELAND	CO	80537
COLE ARMSTRONG MECHANICAL INC	3232 51ST AVE #7	SACRAMENTO	CA	95823
COLLECTOR WELLS INTERNATIONAL INC	6360 HUNTLEY RD	COLUMBUS	OH	43229
COMMERCIAL CONTRACTING CO OF SAN AN	5797 DIETRICH RD	SAN ANTONIO	TX	78219
COMMUNICATIONS CONSTRUCTION INC	601 E ST	HAMBURG	IA	51640
COMO TECH INSPECTIONS INC	40 DEEP CREEK RD	MANHATTAN	KS	66502
CONCO CONTRACTORS INC	1048 CIMARRON TRAIL	GARONER	KS	66030
CONLEY SPRINKLER INC	822 MAIN	PLEASANTON	KS	66075
CONSTRUCTION MANAGEMENT INC	108 JACKMAN ST	GEORGETOWN	MA	01833
CONSTRUCTION MARKET DATA GROUP INC	275 WASHINGTON ST	NEWTON	MA	02458
CONSTRUCTION SERVICES BRYANT INC	232 NEW YORK ST	WICHITA	KS	67214
CONSTRUCTORS INC	P O BOX 46417	BATON ROUGE	LA	70895
CONTRACT DEWATERING SERVICES INC	5820 W RIVERSIDE DR	SARANAC	MI	48881
CONTRACTOR SERVICES INC	122 EAST 17TH ST	DAVENPORT	IA	52808
COOPERS STEEL FABRICATORS	503 N HILLCREST DR	SHELBYVILLE	TN	37162
CORNERSTONE COMMERCIAL CONTRACTORS	1260 JERICO	CORNING	IA	50841
CORONA POWER SERVICES INC	5220 MINOLA DR	LITHONIA	GA	30038
CORONADO INC	431 N 13TH	SALINA	KS	67401
COST OF WISCONSIN INC	W172N13050 DIVISION RD	ROCKFIELD	WI	53077
COWARTS CONSTRUCTION COMPANY INC	WILDERNESS RD	SALEM	AR	72576
CRANE CONSTRUCTION COMPANY LLC	343 WAINWRIGHT DR	NORTHBROOK	IL	60062
CREEK ELECTRIC INC	2811 W PAWNEE ST	WICHITA	KS	67213

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CRONISTER & COMPANY INC	FORBES FIELD BL 281 UNT E	TOPEKA	KS	66619
CROSSLAND HEAVY CONTRACTORS INC	S HWY 69	COLUMBUS	KS	66275
CROWN CORR INC	7100 W 21ST AVE	GARY	IN	46406
CUNNINGHAM INC	112 6TH AVENUE W	OSKALOOSA	IA	52577
CUST O FAB TANK SERVICES LLC	1900 N 161ST E AVE	TULSA	OK	74116
CUSTOM ROCK INTERNATIONAL	1156 HOMER ST	ST PAUL	MN	55116
CUTCO INC	RR 1 BOX 121	WYOMING	IL	61491
CYLX CORPORATION	BOX 1087	BARTLESVILLE	OK	74005
D & D PIPELINE CONSTRUCTION CO INC	4700 W HWY 117	SAPULPA	OK	74066
DALRYMPLE & CO	3675 S NOLAND RD STE 102	INDEPENDENCE	MO	64055
DANNYS CONSTRUCTION CO INCORPORATED	1066 WEST THIRD AVENUE	SHAKOPEE	MN	55379
DAVE OSBORNE CONSTRUCTION CONTRACTI	15600 28TH AVE N	PLYMOUTH	MN	55447
DAVID A NICE BUILDERS INC	4571 WARE CREEK ROAD	WILLIAMSBURG	VA	23188
DAVIS ELECTRICAL CONSTRUCTORS INC	429 N MAIN ST	GREENVILLE	SC	29602
DCG PETERSON BROTHERS COMPANY	5005 S HWY 71	SIOUX RAPIDS	IA	50585
DDD COMPANY	8000 CORPORATE DR STE 100	LANDOVER	MD	20785
DEI INC	1550 KEMPER MEADOW DR	CINCINNATI	OH	45240
DELCO ELECTRIC INC	7615 N CLASSEN BLVD	OKLAHOMA CITY	OK	73116
DEMCO INC	238 LEIN RD	BUFFALO	NY	14224
DIAMOND CONSTRUCTION COMPANY	2000 N 18TH ST	QUINCY	IL	62301
DIAMOND ELECTRIC SERVICE INC	21325 W 105TH ST	OLATHE	KS	66061
DIAMOND SURFACE INC	13792 REIMER DR N	MAPLE GROVE	MN	55311
DIG AMERICA UTILITY CONTRACTING INC	606 25TH AVE SO STE 202	ST CLOUD	MN	56301
DIMENSIONAL TECHNOLOGY INC	6717 LINDEN LN	HUNTLEY	IL	60142
DIVINE INC	2310 REFUGEE RD	COLUMBUS	OH	43207
DL SMITH ELECTRICAL CONSTRUCTION INC	1405 SW 41ST ST	TOPEKA	KS	66609
DOBSON DAVIS COMPANY	8521 RICHARDS RD	LENEXA	KS	66215
DOME CORPORATION OF NORTH AMERICA	5450 EAST ST	SAGINAW	Mi	48601
DON BELL HOMES INC	11599 N RIDGEVIEW	OLATHE	KS	66061
DONALD E MCNABB COMPANY INC	31250 S MILFORD RD	MILFORD	MI	48381
DOSTER CONSTRUCTION CO INC	2619 COMMERCE BLVD	BHAM	AL	35210
DOUBLE O MASONRY INC	722 S 260TH ST	PITTSBURG	KS	66762
DRAINAGE & GROUND IMPROVEMENT INC	275 MILLERS RUN RD	BRIDGEVILLE	PA	15017
DUAL TEMP ILLINOIS INC	3801 S SANGAMON ST	CHICAGO	IL	60609
DUOING ENTERPRISES INC	1910 ESTELLE LANE	PLACENTIA	CA	92870
DUSTROL INC	GEN DEL	EL DORADO	KS	67042
DW PROEHL CONSTRUCTION INC	818 N HELEN AVE	SIOUX FALLS	SD	57104
ECONOMY ELECTRICAL CONTRACTORS	101 CENTURY 21 DR #204	JACKSONVILLE	FL	32216
EDWARD KRAEMER & SONS INC	ONE PLAINVIEW RD	PLAIN	WI	53577
ELECTRICAL LINE SERVICES INC	14200 S TULSA DR	OKLAHOMA CITY	OK	73170
ELECTRICAL SPECIALISTS INC	401 WEST BOYTON STREET	MARION	IL	62959
ENERGY CONTROL SYSTEMS	357 MIXON LN	OZARK	AL	36360

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
ENERGY DELIVERY SERVICES INC	3909 W FIFTH ST	CHEYENNE	WY	82003
ENERGY SYSTEMS GROUP LLC	101 PLAZA E BLVD 320	EVANSVILLE	IN	47715
ENTRUP DRYWALL & PAINTING INC	3 BLUFF VIEW RD	QUINCY	IL	62301
ENVIRONMENTAL SYSTEMS DESIGN INC	55 E MONROE ST STE 1660	CHICAGO	IL	60603
EQUUS METALS	1415 S JOPLIN AVE	TULSA	OK	74112
ERVIN CABLE CONSTRUCTION INC	260 N LINCOLN BLVD E	SHAWNEETOWN	IL	62984
ESCO ELECTRICAL SERVICES INC	520 E MAIN	EL DORADO	AR	71730
EVCO NATIONAL INC	339 OLD ST LOUIS RD	WOOD RIVER	IL	62095
EXCEL CABLE CONSTRUCTION INC	11501 COLUMBIA PK DR WEST	JACKSONVILLE	FL	32258
EXCEL ENGINEERING INC	500 73RD AVE NE # 119	FRIDLEY	MN	55432
EXXEL PACIFIC INC	323A TELEGRAPH RD	BELLINGHAM	WA	98226
FABCON INCORPORATED	6111 WEST HIGHWAY 13	SAVAGE	MN	55378
FABCON LLC	3400 JACKSON PIKE	GROVE CITY	OH	43123
FALCON ELECTRIC INC	100 NORTH FIRST ST	CLARKSBURG	WV	26301
FARABEE MECHANICAL INC	P O BOX 1748	HICKMAN	NE	68372
FAYETTEVILLE PLUMBING & HEATING CO INC	P O BOX 1061	FAYETTEVILLE	AR	72702
FEDERAL FIRE PROTECTION INC	805 SECRETARY DR STE A	ARLINGTON	TX	76015
FISHEL COMPANY THE	1810 ARLINGATE LN	COLUMBUS	OH	43228
FJW GROUP INC	905 W MITCHELL	ARLINGTON	TX	76013
FOLTZ CONSTRUCTION INC	BOX 38	PATOKA	IL	62875
FOLTZ WELDING PIPELINE MAINTENANCE	501 E CLINTON AVE	PATOKA	IL	62875
FORD CONTRACTING CORP	1307 E COURT ST	DYERSBURG	TN	38024
FOUR SEASONS AC HTG & REFRIG INC	1202 NW 5TH	ABILENE	KS	67410
FREESIN INC	316 S PEARL	BLUFFS	IL	62621
GALACTIC TECHNOLOGIES INC	400 N LOOP 1604 E STE 210	SAN ANTONIO	TX	78232
GALE INDUSTRIES INC	2339 BEVILLE RD	DAYTONA BEACH	FL	32119
GAMMA CONSTRUCTION COMPANY	2808 JOANEL	HOUSTON	TX	77027
GARY SANDERS MASONRY	109 AVE F	WEST POINT	IA	52656
GEISSLER ROOFING CO INC	612 S 3RD ST	BELLEVILLE	IL	62220
GENE FRITZEL CONSTRUCTION COMPANY I	628 VERMONT	LAWRENCE	KS	66044
GENE FRITZEL CONSTRUCTION SERVICES	628 VERMONT	LAWRENCE	KS	66044
GFS LIFESAFETY CORP	LCR 740A RT 3 BOX 62B	THORNTON	TX	76687
GIBRALTAR CONSTRUCTION CO INC	42 HUDSON ST STE A207	ANNAPOLIS	MD	21401
GINGHER PROCESS PIPING INC	3011 N MAIN ST	EAST PEORIA	IL	61611
GLEESON CONSTRUCTORS INC	2015 E 7TH ST	SIOUX CITY	IA	51105
GLOBAL COMPUTER ASSOCIATES INC	3 GARRET MOUNTAIN PLAZA	WEST PATERSON	NJ	07424
GOERLICH ROOFING INC	4400 HARRISON	QUINCY	IL	62301
GRAHAM CONSTRUCTION COMPANY	500 LOCUST ST	DES MOINES	IA	50309
GRAYLING INCORPORATED	10258 SANTA FE DR	OVERLAND PARK	KS	66212
GRAZZINI BROS COMPANY	620 16TH AVE S	MINNEAPOLIS	MN	55454
GREAT BARRIER ISULATION CO	1200 CORPORATE DR STE 325	BIRMINGHAM	AL	35238
GREAT SOUTH CONSTRUCTION CO INC	2500 HWY 31 SOUTH	PELHAM	AL	35124

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
GREAT SOUTHWESTERN CONSTRUCTION INC	6880 SO I 25	CASTLE ROCK	CO	80104
H & H SERVICES INC	391 OLD RTE N 66	HAMEL	IL	62046
H & L ELECTRIC INC	8651 E HIGHWAY 24	MANHATTAN	KS	66502
H & M CONSTRUCTION CO INC	431 LIBERTY ST	MILAN	TN	38358
H&H DRYWALL SPECIALTIES INC	5200 S YALE STE 610	TULSA	OK	74135
HANLIN RAINALDI CONSTRUCTION CORP	6610 SINGLETREE DR	COLUMBUS	OH	43229
HANSON ELECTRIC OF BEMIDJI INC	3125 BEMIDJI AVE N	BEMIDJI	MN	56601
HARBERT YEARGIN INC	105 EDINBURGH CR	GREENVILLE	SC	29607
HARDAWAY CONSTRUCTION CORP OF TENNE	615 MAIN STREET	NASHVILLE	TN	37206
HARNESS ROOFING INC	P O BOX 1382	HARRISON	AR	72601
HART PAINTING	2555 SW 50	OKLAHOMA CITY	OK	73119
HARTCO CABLE INC	P O BOX 32	GENESEO	IL	61254
HASTCO INC	813 GRAHAM	EMPORIA	KS	66801
HEAD INC	4920 E FIFTH AVE	COLUMBUS	OH	43219
HEBER E COSTELLO INC	609 COSTELLO ROAD	OAK GROVE	LA	71263
HENNESSY SURVEYING	P O BOX 384	FORT BRANCH	IN	47648
HENNING CONSTRUCTION COMPANY	5870 MERLE HAY RD	JOHNSTON	IA	50131
HENRIKSEN CONSTRUCTION INC	4503 2ND AVE #101	KEARNEY	NE	68847
HERITAGE HOUSING DEVELOPMENT INC	16133 VENTURA BLVD #965	ENCINO	CA	91436
HERMAN STEWART CONSTRUCTION & DEVEL	7611 SOUTH OSBORNE RD	UPPER MARLBORO	MD	20772
HOGUE HORN & PASHMAN INC	922 MISSOURI	LAWRENCE	KS	66044
HOLIAN ASBSTS RMVL & ENCPSTN CORP	7504 MEYER RD	SPRING GROVE	IL	60081
HOLLIS ROOFING INC	P O BOX 2229	COLUMBUS	MS	39704
HORIZONTAL BORING & TUNNELING CO	505 S RIVER AVE	EXETER	NE	68351
HOSPITALITY BUILDERS INC	PO BOX 1565	ABERDEEN	SD	57402
HUEGERICH CONSTRUCTION INC	512 N COURT	CARROLL	IA	51401
HUFF SEALING CORPORATION	HWY 15E	ALBION	IL	62806
HUSTON CONTRACTING INC	25640 W 143RD ST	OLATHE	KS	66061
HUTTON POWER & TELEPHONE CONSTRUCTION CO	ALONG HWY 45	RUSHVILLE	MO	64484
HUXTABLE KC SERVICE INC	16210 W 108TH	LENEXA	KS	66219
HY VEE WEITZ CONSTRUCTION LC	1501 50TH ST BLDG 1 #325	WEST DES MOINES	IA	50266
ILLINI MECHANICAL INC	1024 LOWRY	PITTSFIELD	IL	62363
INDUSTRIAL MAINTENANCE CONTRACTORS INC	2301 GARDEN CITY HWY	MIDLAND	TX	79701
INDUSTRIAL POWER & PROCESS CORP	P O BOX 38995	GREENSBORO	NC	27438
INDUSTRIAL PROCESS TECHNOLOGY INC	2213 7TH AVE N	FARGO	ND	58108
INGRAM CONSTRUCTION COMPANY INC OF	173 HOY RD	MADISON	MS	39110
INNOVATIVE SYSTEMS OF KANSAS INC	2915 STRONG AVE	KANSAS CITY	KS	66106
INSULCON COMPANY INC	10500 UNIVERSITY CTR #155	TAMPA	FL	33612
INTEC SERVICES INC	454 LINK LN	FT COLLINS	CO	80522
INTERSTATES ELEC & ENGINEERING	1520 INDUSTRIAL PARK	SIOUX CENTER	IA	51250
INTL BROTHERHOOD OF ELECTRICAL WORK	106 N MONROE ST	WEST FRANKFORT	IL	62896
IVEY MECHANICAL CO A PARTNERSHIP	514 NORTH WELLS ST	KUSCIUSKO	MS	39090

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
J & J CONSTRUCTION & SUPPLY INC	1136 W KANSAS	MCPHERSON	KS	67460
J & J MAINTENANCE INC	3755 CAPITAL OF TX HWY S	AUSTIN	TX	78704
J W BUCK CONSTRUCTION CO INC	4103 FRANDFORD AVE	LUBBOCK	TX	79407
JAMES CAPE & SONS CO	6422 N HWY 31	RACINE	WI	53401
JAMES N GRAY CONSTRUCTION CO	250 W MAIN ST	LEXINGTON	KY	40507
JANSSEN GLASS & MIRROR INC	5002 HADLEY	OVERLAND PARK	KS	66202
JARVIS C DAWSON	2121 E ROCK CREEK	NORMAN	OK	73071
JAY MCCONNELL CONSTRUCTION INC	8242 MARSHALL DR	LENEXA	KS	66214
JE CAMPBELL INC	HWY 45E SOUTH	SOUTH FULTON	TN	38257
JET HEATING INC	P O BOX 7362	SALEM	OR	97303
JF BRENNAN CO INC	820 BAINBRIDGE ST	LA CROSSE	WI	54603
JOEL FRITZEL BUILDERS INC	3320 CLINTON PARKWAY CT	LAWRENCE	KS	66047
JOHANSEN DRAINAGE & TILE	RT 1 BOX 152	RULO	NE	68431
JOHN A PAPALAS & CO	1187 EMPIRE	LINCOLN PARK	MI	48146
JOHNSON INDUSTRIAL SERVICES INC	200 BENTLEY CIR	SHELBY	AL	35143
JOLLEY CONSTRUCTION COMPANY	6148 LEE HWY STE 200	CHATTANOOGA	TN	37421
JOMAX CONSTRUCTION COMPANY INC	S 281 HWY	GREAT BEND	KS	67530
JONES HYDROBLAST INC	P O BOX 309	ROYALTON	IL	62983
JR ROOFING INC	P O BOX 204	LE MARS	IA	51031
JR STELZER CO	5850 RUSSELL DR	LINCOLN	NE	68507
JS ROLLINS INC	1776 VFW ROAD	BARLOW	KY	42024
JULIAN CONSTRUCTION COMPANY	15521 W 110TH ST	LENEXA	KS	66219
JULIUS KAAZ CONSTRUCTION COMPANY IN	716 CHEROKEE	LEAVENWORTH	KS	66048
K & M ELECTRICAL CONTRACTORS INC	940 COMMERCIAL SUITE B	ATCHISON	KS	66002
KAJIMA ASSOCIATES INC	900 SYLVAN AVE	ENGLEWOOD CLIFF	NJ	07632
KAJIMA CONSTRUCTION SERVICES INC	900 SYLVAN AVE	ENGLEWOOD CLIFF	NJ	07632
KANSAS BUILDING SYSTEMS INC	1701 SW 41ST	TOPEKA	KS	66609
KASBOHM CUSTOM DRILLING INC	11404 OAKTON RD	SAVANNA	IL	61074
KAYTON ELECTRIC INC	PO BOX 27	HOLDREGE	NE	68949
KDS CONSTRUCTION	9318 GULFSTREAM RD UNIT C	FRANKFORT	IL	60423
KEARNEY & SON CONSTRUCTION INC	2500 NORTH 7TH ST	LAWRENCE	KS	66044
KEARNEY ELECTRIC INC	3609 E SUPERIOR AVE	PHOENIX	AZ	85040
KEITH AUSTIN	3001 WEDINGTON DR #106	FAYETTEVILLE	AR	72701
KELLEY DEWATERING & CONSTRUCTION CO	5175 CLAY AVENUE SW	WYOMING	MI	49548
KELLY CONSTRUCTION INC	P O BOX 32152	OKLAHOMA CITY	OK	73123
KENJURA TILE INC	BOX 158	BRENHAM	TX	77834
KEOKUK CONTRACTORS INC	853 JOHNSON ST RD	KEOKUK	IA	52632
KESSLER CONSTRUCTION INC	13402 W 92ND ST	LENEXA	KS	66215
KG MOATS & SONS	9515 US HWY 63	EMMETT	KS	66422
KGL ASSOCIATES INC	759 ADAMS ST	DENVER	CO	80206
KIM CONSTRUCTION CO INC	3142 HOLEMAN	STEGER	IL	60475
KING LAR COMPANY	2020 E OLIVE STREET	DECATUR	IL	62525

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KM PIPELINE CONSTRUCTION INC	5620 SOONER TREND RD	ENID	OK	73701
KNICKERBOCKER CONSTRUCTION INC	4823 LAKEWOOD DR	NORWALK	IA	50211
KUHLMAN REFRIGERATION INC	N56W16885 RIDGEWOOD 100	MENOMONEE FALLS	WI	53051
KURISU INTERNATIONAL INC	11125 SW BARBUR BL	PORTLAND	OR	97219
L & J CONSOLIDATED ENTERPRISES INC	107 OXFORD	HARRISON	AR	72601
L & L CONSTRUCTION SERVICES INC	107 3RD ST	DES MOINES	IA	50309
L & L INSULATION & SUPPLY CO	3305 SE DELAWARE AVE	ANKENY	IA	50021
LAKE CONTRACTING INC	4650 STONE CHURCH RD	ADDIEVILLE	IL	62214
LAKEVIEW CONSTRUCTION OF WISCONSIN	10505 CORPORATE DR #200	PLEASANT PRAIRI	WI	53158
LANDSCAPES UNLIMITED INC	1601 OLD CHENEY RD	LINCOLN	NE	68512
LARRY COX CONSTRUCTION	50 FORT COX RD	HEBER SPRINGS	AR	72543
LEMAR CONSTRUCTION	2829 BRADY ST	DAVENPORT	IA	52803
LESSARD NYREN UTILITIES INC	17385 FOREST BLVD N	HUGO	MN	55038
LH SOWLES CO	2813 BRYANT AVE S	MINNEAPOLIS	MN	55408
LICAUSI CONSTRUCTION COMPANY	8301 W 125TH ST	OVERLAND PARK	KS	66213
LIFE SAFETY INC	12428 VETERANS MEM PKWY	LAFAYETTE	AL	36862
LIMBAUGH CONSTRUCTION CO INC	4186 HWY 162	GRANITE CITY	IL	62040
LIN R ROGERS ELECTRICAL CONTRACTORS	3000 NORTHFIELD PL ST1100	ROSWELL	GA	30076
LINAWEAVER CONSTRUCTION INC	719 GILMAN RD	LANSING	KS	66043
LITTLE ROCK ELECTRICAL CONTRACTORS	13008 LAWSON RD	LITTLE ROCK	AR	72210
LONG CONSTRUCTION INC	1505 MORGAN	PARSONS	KS	67357
LONGAN CONSTRUCTION COMPANY	1635 US HWY 59 N	GROVE	OK	74344
LOWE NORTH CONSTRUCTION INC	800 A LINE DR	SPRING HILL	KS	66083
LPR CONSTRUCTION CO	1171 DES MOINES AVE	LOVELAND	CO	80537
LUNDA CONSTRUCTION CO	620 GEBHARDT RD	BLACK RIVER FAL	WI	54615
LUTTENBERGER & CO INC	1501 MONROE ST	TOLEDO	OH	43624
LVI ENVIRONMENTAL SERVICES	225 FENCL LANE	HILLSIDE	IL	60162
M A MORTENSON CO	700 MEADOW LN N	MINNEAPOLIS	MN	55422
MAGUIRE IRON INC	300 W WALNUT BOX 1446	SIOUX FALLS	SD	57101
MARATHON BUILDERS INC	4144 N CENTRAL #660	DALLAS	TX	75204
MARICK INC	1710 2ND AVE	DES MOINES	IA	50314
MARRS ELECTRIC INC OF ARKANSAS	701 KAWNEER DR	SPRINGDALE	AR	72764
MARSHALL CONSTRUCTION INC	17739 CARTWRIGHT MTN RD	MOUNTAINBURG	AR	72946
MAX TRUE FIREPROOFING CO	6500 S 39TH AVE	TULSA	OK	74132
MBK CONSTRUCTION LTD	175 TECHNOLOGY	IRVINE	CA	92718
MCADAM LLC	720 N CEDAR	MORAN	KS	66755
MCBRIDE ELECTRIC INC	3215 E 9TH N	WICHITA	KS	67208
MCBURNIE CORPORATION THE	4274 SHACKLEFORD RD	NORCROSS	GA	30091
MCCARTIN MECHANICAL CONTRACTOR INC	2999 PARKWAY DR	DECATUR	IL	62526
MCINNIS BROTHERS CONSTRUCTION INC	119 PEARL ST	MINDEN	LA	71058
MCKNIGHT MASONRY	5319 ROSEWOOD DR	ROELAND PARK	KS	66205
MCMASTER CONSTRUCTION INC	138 NE 46TH	OKLAHOMA CITY	OK	73105

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MCPHERSON WRECKING INC	2333 BARTON RD	GRANTVILLE	KS	66429
MCWHORTER & CO INC	P O BOX 907	ANNISTON	AL	36202
MEADOWS CONSTRUCTION CO INC	1014 FRONT ST	TONGANOXIE	KS	66086
MERIVIC INC	1050 A W JEFFERSON	MORTON	IL	61550
MERRELL BROS INC	8811 W 500 N	KOKOMO	IN	46901
METRIC VISION	8500 CINDER BED RD STE150	NEWINGTON	VA	22122
MEYERS TURF FARMS INC	19055 METCALF	STILWELL	KS	66085
MICHAEL CONSTRUCTION CO INC	SECONDARY RT 79 BOX 143	DRY BRANCH	WV	25061
MICRO PAVERS INC	127 FAUBER RD	E PEORIA	IL	61611
MID CO CONTRACTORS INC	P O BOX 391	FORT SCOTT	KS	66701
MID CONTINENTAL RESTORATION CO INC	PO BOX 429	FORT SCOTT	KS	66701
MID STATES MECHANICAL SERVICES INC	HWY 169 SOUTH	MANKATO	MN	56001
MIDLAND WRECKING INC	15 HENNING	LENEXA	KS	66215
MIDWEST CONSTRUCTION SYSTEMS INC	100 MAIN ST STE 504	LITTLE ROCK	AR	72201
MIDWEST ELEVATOR CO INC	1116 E MARKET STREET	INDIANAPOLIS	IN	46202
MIDWEST PUMP & EQUIPMENT CO	2300 S 7TH ST	LINCOLN	NE	68502
MIDWEST TOWERS INC	2806 COUNTRY CLUB DRIVE	CHICKASHA	OK	73018
MIDWESTERN POWER LINE INC	HWY 75, 2 MI NORTH	DEWEY	OK	74029
MIDWESTERN SERVICES INC	1913 7TH ST	SNYDER	TX	79549
MILLER DRILLING COMPANY INC	107 HELTON DR	LAWRENCEBURG	TN	38464
MILLER THE DRILLER	5125 E UNIVERSITY	DES MOINES	IA	50317
MILLERS PRO CUT	6410 W 72ND TERR	OVERLAND PARK	KS	66204
MILLGARD CORPORATION THE	12822 STARK RD	LIVONIA	MI	48150
MILLPOINT INDUSTRIES INC	3010 A S ELM EUGENE ST	GREENSBORO	NC	27406
MILLS ELECTRICAL CONTRACTORS	2535 WALNUT HILL LN	DALLAS	TX	75229
MISSOURI VALLEY INC	4614 MCCARTY BLVD	AMARILLO	TX	79110
MODERN PIPING INC	P O BOX 128	CEDAR RAPIDS	IA	52406
MOORHEAD ELECTRIC INC	2419 12TH AVE S	MOORHEAD	MN	56560
MORNINGSTAR CONSTRUCTION CO	8751 GODDARD	OVERLAND PARK	KS	66214
MOSLEY ELECTRIC INC	POST OFFICE BOX 789	QUINCY	IL	62301
MOUNTAIN MECHANICAL CONTRACTORS INC	2210 S SCHOOL	FAYETTEVILLE	AR	72701
MOWERY BACKHOE & TRENCHER SERVICE	25374 TONGANOXIE RD	LEAVENWORTH	KS	66048
MULTIPLE CONCRETE ENTERPRISES	1680 W 1000 N	LAYTON	UT	84041
MUNICIPAL PIPE TOOL COMPANY INC	515 5TH ST	HUDSON	IA	50643
MURPHY & SONS ROOFING	1010 NORTH 54TH ST	KANSAS CITY	KS	66102
MUSE EXCAVATION & CONSTRUCTION CO	504 S 8TH ST	ELWOOD	KS	66024
MUSTANG LINE CONTRACTORS INC	9105 N DIVISION ST STE A	SPOKANE	WA	99218
MW BUILDERS OF KANSAS INC	11100 ASH ST STE 210	LEAWOOD	KS	66211
NATGUN CORP	11 TEAL RD	WAKEFIELD	MA	01880
NATIONAL ABATEMENT CORPORATION	3080 N CENTER RD	FLINT	MI	48519
NATIONAL COATING & MFG INC	ROUTE 5 BOX 285	ADA	OK	74820
NATIONAL CONDUCTOR	4146 HWY 371 NORTH	BRAINERD	MN	56401

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NATIONAL CONSTRUCTION SERVICES INC	520 LANCASTER AVE	FRAZER	PA	19355
NATIONAL INDUSTRIAL MAINTENANCE SER	121 EDWARDS DR	JACKSON	TN	38302
NATIONAL SERVICE CLEANING CORP	3575 W 12TH ST	HOUSTON	TX	77008
NATIONAL STEEL ERECTORS	PO BOX 709	MUSKOGEE	OK	74402
NEBCO STEEL ERECTORS INC	2001 A ADAMS ST	GRANITE CITY	IL	62040
NEBRASKA MIDWEST CONSTRUCTION COMPA	406 N 22ND ST	NEBRASKA CITY	NE	68410
NELSON INDUSTRIAL SERVICES INC	6021 MELROSE LN	OKLAHOMA CITY	OK	73127
NEW DIMENSION INC	631 E BIG BEAVER #109	TROY	MI	48083
NEWTRON INC	8183 W EL CAJON DR	BATON ROUGE	LA	70815
NHC CONSTRUCTION LLC	5960 DEARBORN STE 15	MISSION	KS	66202
NO FAULT INDUSTRIES INC	11325 PENNYWOOD AVE	BATON ROUGE	LA	70809
NORMENT SECURITY GROUP INC	3224 MOBILE HWY	MONTGOMERY	AL	36108
NORTH CENTRAL BUILDERS INC	321 N BROADWAY	HARTINGTON	NE	68739
NORTH COAST 88 INC	170 EAST MAIN ST	NORWALK	OH	44857
NORTH MISSISSIPPI CONVEYOR COMPANY INC	HWY 7S LAFAYETTE CO RD370	OXFORD	MS	38655
NORTHERN CLEARING INC	1805 W MAIN ST	ASHLAND	WI	54806
NORTHLAND CONTRACTING INC	HIGHWAY 2 EAST	SHEVLIN	MN	56676
NORTHWEST ENERGY SYSTEMS INC	315 S GREGG ST	FAYETTEVILLE	AR	72701
NUTRIJECT SYSTEMS INC	515 5TH ST	HUDSON	IA	50643
O & M SERVICES INC	207 E MAIN ST	FAIRFIELD	IL	62837
ODONNELL & SONS CONSTRUCTION CO INC	15301 BROADMOOR ST	OVERLAND PARK	KS	66223
OFALLON ELECTRIC COMPANY	P O BOX 488	OFALLON	IL	62269
OIL FIELD ELECTRIC	P O BOX 247	WEST FRANKFORT	IL	62896
OMNITECH ROBOTICS INC	2640 S RARITAN CIR	ENGLEWOOD	CO	80110
ONEAL ELECTRIC SERVICE INC	3073 MERRIAM LN	KANSAS CITY	KS	66106
P & P CONSTRUCTION CO	1132 E LINCOLN ST	RIVERTON	IL	62561
PACE AND WAITE INC	7501 S MEMORIAL PKWY #205	HUNTSVILLE	AL	35802
PARADISE FIBERGLASS POOLS INC	3115 N ILL AVE	SWANSEA	IL	62226
PARKWAY CONSTRUCTION & ASSOCIATES I	1660 S STEMMONS #340	LEWISVILLE	TX	75067
PAVEMENT SPECIALISTS INC	15 238 CO RD M1	NAPOLEON	OH	43545
PEOPLE & MACHINES CORP	2468 33RD AVE	COLUMBUS	NE	68601
PERINI CORPORATION	73 MT WAYTE AVENUE	FRAMINGHAM	MA	01701
PERMANENT PAVING INC	8900 INDIAN CREEK PKWY	OVERLAND PARK	KS	66210
PETERSON CONSTRUCTION	1929 W 2ND ST	WEBSTER CITY	IA	50595
PETERSON CONTRACTORS INC	104 BLACKHAWK ST	REINBECK	IA	50669
PHILLIPS & JORDAN INC	6621 WILBANKS RD	KNOXVILLE	TN	37912
PINNACLE CONSTRUCTION INC	203 N CHESTNUT ST	GLENWOOD	IA	51534
PIONEER GROUP INC	8600 JUNIPER LANE	PRAIRIE VILLAGE	KS	66207
PIPING COMPANIES INC	1520 S 129TH W AVE	SAND SPRINGS	OK	74063
PITTSBURG TANK & TOWER CO INC	515 PENNEL ST	HENDERSON	KY	42420
PIZZAGALLI CONSTRUCT ON COMPANY	50 JOY DR	S BURLINGTON	VT	05407
PLASTOCOR INC	25 INDUSTRIAL PARK RD	HINGHAM	MA	02043

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PLOWMAN CONSTRUCTION COMPANY INC	8249 W 95TH ST STE 105	OVERLAND PARK	KS	66212
PNEUMATIC SYSTEMS INSTALLATION INC	11213 RILEY	OVERLAND PARK	KS	66210
POULTRY BUILDINGS INC	235 SOUTH 40TH	SPRINGDALE	AR	72765
PRECAST ERECTORS INC	13400 TRINITY BLVD	EULESS	TX	76040
PRECISION CASEWORK & TRIM INC	816 SE 83RD ST	OKLAHOMA CITY	OK	73149
PRO QUIP CORPORATION	8522 E 61ST ST	TULSA	OK	74133
PROFORMANCE ELECTRIC INC	11201 W 59TH TER	SHAWNEE	KS	66203
PROGRESSIVE CONTRACTORS INC	14123 42ND ST NE	ST MICHAEL	MN	55376
PSIDB INC	W232 S7530 BIG BEND DR	BIG BEND	WI	53103
PULTE HOMES OF GREATER KANSAS CITY	8700 STATE LINE RD #309	LEAWOOD	KS	66206
PYRAMID CONTRACTORS INC	891 W IRONWOOD RD	OLATHE	KS	66061
QUALITY AWNING & CONSTRUCTION CO	7937 SCHAEFER RD	DEARBORN	MI	48126
R & R ELECTRIC INC	HWY 75 N PO BOX 181	BRECKENRIDGE	MN	56520
R IZOKAITIS CONSTRUCTION INC	14817 GRANT ST	OMAHA	NE	68116
R MESSNER CONSTRUCTION CO INC	3595 N WEBB RD #500	WICHITA	KS	67226
R N HARRIS CONSTRUCTION CO	3200 HASKELL AVE STE 140	LAWRENCE	KS	66046
RANGER PLANT CONSTRUCTIONAL CO INC	5851 E US HIGHWAY 80	ABILENE	TX	79601
RCS CONSTRUCTION INC	197 OLD ST LOUIS RD	WOOD RIVER	IL	62095
RD OLSON CONSTRUCTION A CA LP	2955 MAIN ST 3RD FLR	IRVINE	CA	92614
RDC MANUFACTURING INC	200 LUKKEN INDUSTRIAL DR	LA GRANGE	GA	30240
REASONS CONSTRUCTION COMPANY INC	3825 EAST END DR	HUMBOLDT	TN	38343
RECLAMATION ASSOCIATES INC	105 S MAIN	WALNUT	KS	66780
REDNOUR STEEL ERECTORS INC	HWY 150	CUTLER	IL	62238
RENIER CONSTRUCTION CORPORATION	2164 CITY GATE DRIVE	COLUMBUS	OH	43219
RENTENBACH CONSTRUCTORS INC	2400 SUTHERLAND AVE	KNOXVILLE	TN	37919
RESERV CONSTRUCTION CO INC	7101 SHARONDALE CT #200	BRENTWOOD	TN	37027
RETAIL CONSTRUCTION SERVICES INC	11343 39TH ST N	ST PAUL	MN	55042
RETAIL STOREFRONT GROUP INC	419 MIAMI AVE	LEEDS	AL	35094
REVENUE SOLUTIONS INC	752 WASHINGTON ST	PEMBROKE	MA	02359
RFB CONSTRUCTION CO INC	3222 NW 160 HWY	CHEROKEE	KS	66724
RICHARD GOETTLE INC	12071 HAMILTON AVE	CINCINNATI	OH	45231
RICHARDSON CORPORATION	WATER PLANT RD	OWINGSVILLE	KY	40360
RJ PITCHER INC	4575 BUCKLEY RD	LIVERPOOL	NY	13088
RMP INC	PO BOX 16141	SHAWNEE	KS	66203
ROBERT W BRITZ PAINTING COMPANY INC	14272 FRAZEE RD	DIVERNON	IL	62530
ROBERTSON PAINTING INC	3116 S ARROWHEAD CT	INDEPENDENCE	MO	64057
ROD BUSTERS INC	624 S MISSOURI ST STE 100	INDIANAPOLIS	IN	46225
ROMAN MOSAIC & TILE CO	1105 SAUNDERS CR	WEST CHESTER	PA	19380
ROSE LAN CONTRACTORS INC	952 OSAGE	KANSAS CITY	KS	66105
ROYAL ELECTRIC CONSTRUCTION INC	7905 MONTICELLO RD	SHAWNEE MISSION	KS	66203
ROYALTY ELECTRIC	1031 VERMONT ST	QUINCY	IL	62301
RP INDUSTRIES INC	105 REYNOLDS DR	FRANKLIN	TN	37064

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RUSSELL CONSTRUCTION CO	3032 A NORTH FRAZIER ST	CONROE	TX	77303
RUSSIAN CONCRETE CONSTRUCTION	1133 S 205TH	PITTSBURG	KS	66762
RYAN FLOORS INC	305 CARL STREET	ROCKVILLE	MD	20851
SAGEZ CONSTRUCTION INC	HC61 BOX 17	HARDIN	IL	62047
SCI GENERAL CONTRACTORS INC	4530 BARKSDALE BLVD STE C	BOSSIER CITY	LA	71112
SERRAULT SERVICES OF KANSAS INC	7625 LAKESIDE AVE	MANHATTEN	KS	66502
SERVICEMAGIC INC	1626 COLE BLVD #200	GOLDEN	CO	80401
SERVICEMASTER DESIGN BUILD LLC	8615 FREEPORT PKWY 5-100	IRVING	TX	75063
SGT LTD I	3407 TORREY RD	FLINT	MI	48507
SHAW CONTRACT FLOORING SERVICES INC	616 E WALNUT AVE	DALTON	GA	30722
SHILOH STEEL FABRICATORS INC	200 EAST HWY 264	SPRINGDALE	AR	72764
SIERRA BRAVO INC	7038 STATE HWY 154	SESSER	IL	62884
SIMBECK & ASSOCIATES INC	38256 HWY 160	MANCOS	CO	81328
SKYLIGHT MANUFACTURING INC	1208 ALDINE MAIL RD	HOUSTON	TX	77039
SNELL NORTHCUTT ELECTRIC INC	P O BOX 24601	LITTLE ROCK	AR	72221
SOONER BUILDERS & INVESTMENTS INC	26005 E ADMIRAL	CATOOSA	OK	74015
SOPTIC PANNELL CONSTRUCTION CO INC	2038 S 49TH ST	KANSAS CITY	KS	66106
SOUTHERN ELECTRICAL SERVICES INC	445 METROPLEX DR	NASHVILLE	TN	37211
SPARKS & WIEWEL CONSTRUCTION CO	6200 BROADWAY	QUINCY	IL	62301
SPARROW PLUMBING & HEATING INC	313 DELAWARE	QUINCY	IL	62301
SPECIALTY CONSTRUCTORS INC	2445 ALAMO STREET SE	ALBUQUERQUE	NM	87106
SPINIELLO LIMITED INC	35 AIRPORT RD	MORRISTOWN	NJ	07962
SPORTS METALS INC	P O BOX 1338	PHENIX CITY	AL	36868
STAR CONTRACTING SERVICE INC	11245 S PENROSE	OLATHE	KS	66061
STELLAR GROUP INC	2900 HARTLEY RD	JACKSONVILLE	FL	32257
STEVENS ELECTRIC OF QUINCY INC	526 S 9TH ST	QUINCY	IL	62306
STORY CONSTRUCTION CO	300 S BELL AVE	AMES	IA	50010
STRATEGIC INFORMATION SOLUTIONS	20 N CLARK ST STE 1650	CHICAGO	IL	60602
STRAUB CONSTRUCTION CO INC	10575 WIDMER	LENEXA	KS	66215
STRUDEL ELECTRIC INC	1375 W WALNUT ST	GIRARD	KS	66743
STUEVE CONSTRUCTION COMPANY	2201 E OAK ST	ALGONA	IA	50511
SUNBELT INSULATION CO INC	P O BOX 381491	BIRMINGHAM	AL	35238
SUNCON INC	#2 TERMINAL DR STE 17A	EAST ALTON	IL	62002
SUNLAND CONSTRUCTION INC	HWY 13 SOUTH	EUNICE	LA	70535
SUPERIOR CONCRETE PRODUCTS	P O BOX 201625	ARLINGTON	TX	76006
SUPERIOR FLOORS INC	3225 N PROSPECT RD	PEORIA	IL	61603
SURFACE PREPARATION TECHNOLOGIES INC	81 TEXACO ROAD	MECHANICSBURG	PA	17055
SW FRANKS CONSTRUCTION CO	2070 WEST 3RD ST	CLEVELAND	OH	44113
SW HUFFMAN CONSTRUCTION INC	PO BOX 99	OTTUMWA	IA	52501
SYLVAN INDUSTRIAL PIPING INC	815 AUBURN AVE	PONTIAC	MI	48342
SYRSTONE INC	201 S MAIN ST	NORTH SYRACUSE	NY	13212
T SQUARE MILLWRIGHT SERVICES INC	BOX 519	N WEBSTER	IN	46555

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TAFT CONTRACTING CO INC	5525 W ROOSEVELT	CICERO	IL	60804
TANCO ENGINEERING INCORPORATED	1030 BOSTON AVE	LONGMONT	CO	80501
TECH BUILDERS INC	410 DOWNTOWN PLZ	FAIRMONT	MIN	56031
TEXAS STONE & TILE INC	2683 LOMBARDY LN	DALLAS	TX	75220
THIEMS CONSTRUCTION CO INC	P O BOX 386	EDWARDSVILLE	IL	62025
THOMAS L BEAR CONSTRUCTION INC	14758 202ND ST	BLOOMFIELD	IA	52537
TIC THE INDUSTRIAL COMPANY	40185 ROUTT COUNTY RD 129	STEAMBOAT SPRGS	CO	80477
TITAN CONTRACTING & LEASING CO INC	2205 RAGU DRIVE	OWENSBORO	KY	42302
TMI COATINGS INC	2805 DODD RD	EAGAN	MIN	55121
TNT CONSTRUCTION CO INC	144 EASY ST	CAROL STREAM	IL	60188
TOAN INC	5320 SPEAKER ROAD	KANSAS CITY	KS	66106
TONTO CONSTRUCTION INC	HWY 16 W 78TH ST	MUSKOGEE	OK	74401
TRAYLOR BROS INC	835 N CONGRESS AVE	EVANSVILLE	IN	47715
TRI STATE BUILDING SUPPLY CO INC	N HWY 69	PITTSBURG	KS	66762
TRI STATE PAVING INC	STATE LINE RD	PICHER	OK	74360
TRI STATE SIGNING	509 BAILEY AVE	NEW HAMPTON	IA	50659
TRIGON ENGINEERING INC	475 17TH ST STE 300	DENVER	CO	80202
TSC OF KANSAS INC	2200 W 75TH ST STE 15	PRAIRIE VILLAGE	KS	66208
TULSA DYNASpan INC	1601 E HOUSTON ST	BROKEN ARROW	OK	74012
TWEEDY CONTRACTORS INC	CORNER OF PYBURN & HOELSC	POCAHONTAS	AR	72455
TWIN CITY POOLS INC	948 KANSAS AVE	KANSAS CITY	KS	66105
UNITED CONTRACTORS INC	6678 NW 62ND AVE	JOHNSTON	IA	50131
UNITED EXCEL CORPORATION	8041 W 47 ST STE 100	OVERLAND PARK	KS	66204
UNIVERSAL CONTRACTING CO	1207 LUCAS	BURLINGTON	IA	52601
UNIVERSAL MACHINERY ERECTORS INC	3106 CLAY TURNER RD	PLANT CITY	FL	33566
VAUGHN ELECTRIC CO INC	313 E FLORIDA AVE	UNION CITY	TN	38261
VERSATILE INSTALLATIONS INC	10065 S ANDERSON DR	CHGO RIDGE	IL	60415
VFP FIRE SYSTEMS INC	825 CORPORATE WOODS PKWY	VERNON HILLS	IL	60061
VISTA CONSTRUCTION INC	2526 EAST 71ST ST STE E	TULSA	OK	74136
VISU SEWER CLEAN & SEAL INC	W230 N4855 BETKER RD	PEWAUKEE	WI	53072
VOLTEK INC	8807 W 89TH ST	OVERLAND PARK	KS	66212
VON ALST INC	2416 SMELTING WORKS RD	BELLEVILLE	IL	62226
VON ROLL INC	3080 NORTHWOODS CIR STE 2	NORCROSS	GA	30071
W G YATES & SONS CONSTRUCTION COMPA	104 GULLY AVENUE	PHILADELPHIA	MS	39350
WALKER CONSTRUCTION CO INC	HWY 50 TO KAHOLA LAKE RD	EMPORIA	KS	66801
WALT WAGNER CONSTRUCTION INC	305 S 5TH ST	LEAVENWORTH	KS	66048
WALTER CONSTRUCTION USA INC	441 SW 41ST ST	RENTON	WA	98055
WASATCH ELECTRIC A DIVISION OF DYNA	1420 SPRING HILL RD SE500	MCLEAN	VA	22102
WEATHERCRAFT COMPANY OF GRAND ISLAND	312 NORTH ELM STREET	GRAND ISLAND	NE	68801
WEBB ELECTRIC COMPANY	34375 W 12 MILE RD	FARMINGTON HILL	MI	48331
WEBER AIR CONDITIONING CO INC	2501 CONE DR	TARRANT	AL	35217
WEITZ COMPANY INC	800 SECOND AVE	DES MOINES	IA	50309

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WELLS & WEST INC	VALLEY VILLAGE SHOPPING C	MURPHY	NC	28906
WELSH COMPANIES	8200 NORMANDALE BLVD #200	MINNEAPOLIS	MN	55437
WESSELS CONSTRUCTION CO INC	1800 DES PLAINES AVE	FOREST PARK	IL	61030
WEST SIDE MECHANICAL INC	P O BOX 11247	KANSAS CITY	KS	66111
WESTERN INDUSTRIAL CONTRACTORS INC	5301 JOLIET ST	DENVER	CO	80239
WHITE MOUNTAIN CABLE CONSTRUCTION C	OLD DOVER RD	EPSOM	NH	03234
WHITING TURNER CONTRACTING CO THE	300 E JOPPA RD	BALTIMORE	MD	21286
WIEMELT PLUMBING & EXCAVATING INC	2709 PARKER DR	QUINCY	IL	62301
WILLIAMS ELECTRIC CO INC	695 DENTON BLVD	FORT WALTON BEA	FL	32547
WITCHER CONSTRUCTION CO	9855 W 78TH ST	MINNEAPOLIS	MN	55344
WOODS CONSTRUCTION INC	34650 KLEIN	FRASER	MI	48026
WR NEWMAN & ASSOCIATES INC	2854 LOGAN ST	NASHVILLE	TN	37211
YAZAKI EDS ENGINEERING INC	6800 HAGGERTY RD	CANTON	MI	48187
YORK CONTRACTORS INC	21025 W 105TH ST	OLATHE	KS	66061
YOUNG INSULATION GROUP OF NASHVILLE INC	7119 COCKRILL BEND IND BL	NASHVILLE	TN	37209
ZIMMERMAN CONSTRUCTION COMPANY INC	11005 W 128TH ST	OVERLAND PARK	KS	66213

Updated: 4/18/2001 2:27:27 PM

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B1E01337 Sheeting: Reflective/Non-Reflective 6/6/01;
B2E01058 Raster Image Processing System 6/6/01;
B3Z01228 Lodging and Meals-Kansas City 6/6/01;
B3Z01229 Lodging and Meals-St. Louis 6/6/01;
B1E01349 Food Service Equipment 6/7/01;
B2Z01060 ATL Upgrade/Tape Drives 6/7/01;
B3E01222 Temporary R.N. Monitoring Services 6/7/01;
B3E01223 Parent Advisor 6/7/01;
B3Z01208 Laboratory Services, Medical 6/8/01;
B3Z01220 Print: 2001 Session Laws 6/8/01
B3Z01226 Medical Laboratory Services 6/11/01;
B3Z01197 Case Management Services; Kansas City Area 6/19/01;
B3Z01201 Facilitation of Supervision Groups 6/19/01;
B2Z01064 TCP/IP Network Monitoring Software 6/21/01.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

1.) Radio Advertising on MissouriNet, supplied by Learfield Communications, Jefferson City, MO. 2.) RISS System-Compatible Hardware/Software, supplied by V-One Corporation, Germantown, MD. 3.) Training of Parents of Children Eligible for Special Education, supplied by Missouri Parent Act (MPACT).

1.) Radio Advertising on MissouriNet, supplied by Learfield Communications, Jefferson City, MO. 2.) Games Protection Training, supplied by William Michaels Productions, Inc.

James Miluski, CPPO,
Acting Director of Purchasing

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—24 (1999), 25 (2000) and 26 (2001). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				24 MoReg 2535
				25 MoReg 2478
1 CSR 10-15.010	Commissioner of Administration	26 MoReg 103	26 MoReg 641		
1 CSR 15-2.200	Administrative Hearing Commission		26 MoReg 390	This Issue	
1 CSR 15-2.290	Administrative Hearing Commission		26 MoReg 390	This Issue	
1 CSR 15-2.450	Administrative Hearing Commission		26 MoReg 391	This Issue	
1 CSR 15-2.560	Administrative Hearing Commission		26 MoReg 391	This Issue	
1 CSR 15-3.200	Administrative Hearing Commission		26 MoReg 391	This Issue	
1 CSR 15-3.210	Administrative Hearing Commission		26 MoReg 392	This Issue	
1 CSR 15-3.290	Administrative Hearing Commission		26 MoReg 392	This Issue	
1 CSR 15-3.320	Administrative Hearing Commission		26 MoReg 392	This Issue	
1 CSR 15-3.350	Administrative Hearing Commission		26 MoReg 393	This Issue	
1 CSR 15-3.380	Administrative Hearing Commission		26 MoReg 394	This Issue	
1 CSR 15-3.450	Administrative Hearing Commission		26 MoReg 395	This Issue	
1 CSR 15-3.490	Administrative Hearing Commission		26 MoReg 395	This Issue	
1 CSR 15-3.560	Administrative Hearing Commission		26 MoReg 395	This Issue	
1 CSR 15-5.210	Administrative Hearing Commission		26 MoReg 396R	This IssueR	
1 CSR 15-5.230	Administrative Hearing Commission		26 MoReg 396R	This IssueR	
1 CSR 15-5.250	Administrative Hearing Commission		26 MoReg 396R	This IssueR	
1 CSR 15-5.270	Administrative Hearing Commission		26 MoReg 397R	This IssueR	
1 CSR 15-5.290	Administrative Hearing Commission		26 MoReg 397R	This IssueR	
1 CSR 15-5.320	Administrative Hearing Commission		26 MoReg 397R	This IssueR	
1 CSR 15-5.350	Administrative Hearing Commission		26 MoReg 397R	This IssueR	
1 CSR 15-5.380	Administrative Hearing Commission		26 MoReg 398R	This IssueR	
1 CSR 15-5.390	Administrative Hearing Commission		26 MoReg 398R	This IssueR	
1 CSR 15-5.410	Administrative Hearing Commission		26 MoReg 398R	This IssueR	
1 CSR 15-5.420	Administrative Hearing Commission		26 MoReg 398R	This IssueR	
1 CSR 15-5.430	Administrative Hearing Commission		26 MoReg 399R	This IssueR	
1 CSR 15-5.450	Administrative Hearing Commission		26 MoReg 399R	This IssueR	
1 CSR 15-5.470	Administrative Hearing Commission		26 MoReg 399R	This IssueR	
1 CSR 15-5.480	Administrative Hearing Commission		26 MoReg 399R	This IssueR	
1 CSR 15-5.490	Administrative Hearing Commission		26 MoReg 400R	This IssueR	
1 CSR 15-5.510	Administrative Hearing Commission		26 MoReg 400R	This IssueR	
1 CSR 15-5.530	Administrative Hearing Commission		26 MoReg 400R	This IssueR	
1 CSR 15-5.560	Administrative Hearing Commission		26 MoReg 400R	This IssueR	
1 CSR 15-5.580	Administrative Hearing Commission		26 MoReg 401R	This IssueR	
1 CSR 15-6.210	Administrative Hearing Commission		26 MoReg 401R	This IssueR	
1 CSR 15-6.230	Administrative Hearing Commission		26 MoReg 401R	This IssueR	
1 CSR 15-6.250	Administrative Hearing Commission		26 MoReg 401R	This IssueR	
1 CSR 15-6.270	Administrative Hearing Commission		26 MoReg 402R	This IssueR	
1 CSR 15-6.290	Administrative Hearing Commission		26 MoReg 402R	This IssueR	
1 CSR 15-6.320	Administrative Hearing Commission		26 MoReg 402R	This IssueR	
1 CSR 15-6.350	Administrative Hearing Commission		26 MoReg 402R	This IssueR	
1 CSR 15-6.380	Administrative Hearing Commission		26 MoReg 403R	This IssueR	
1 CSR 15-6.390	Administrative Hearing Commission		26 MoReg 403R	This IssueR	
1 CSR 15-6.410	Administrative Hearing Commission		26 MoReg 403R	This IssueR	
1 CSR 15-6.420	Administrative Hearing Commission		26 MoReg 403R	This IssueR	
1 CSR 15-6.430	Administrative Hearing Commission		26 MoReg 404R	This IssueR	
1 CSR 15-6.450	Administrative Hearing Commission		26 MoReg 404R	This IssueR	
1 CSR 15-6.470	Administrative Hearing Commission		26 MoReg 404R	This IssueR	
1 CSR 15-6.480	Administrative Hearing Commission		26 MoReg 404R	This IssueR	
1 CSR 15-6.490	Administrative Hearing Commission		26 MoReg 405R	This IssueR	
1 CSR 15-6.510	Administrative Hearing Commission		26 MoReg 405R	This IssueR	
1 CSR 15-6.530	Administrative Hearing Commission		26 MoReg 405R	This IssueR	
1 CSR 15-6.560	Administrative Hearing Commission		26 MoReg 405R	This IssueR	
1 CSR 15-6.580	Administrative Hearing Commission		26 MoReg 406R	This IssueR	
1 CSR 20-5.010	Personnel Advisory Board and Division of Personnel		25 MoReg 2872	26 MoReg 865	
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		25 MoReg 2872	26 MoReg 865	
1 CSR 20-6.010	Personnel Advisory Board and Division of Personnel		25 MoReg 2873	26 MoReg 865	
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development	24 MoReg 2269			
2 CSR 70-13.030	Plant Industries		26 MoReg 905		
2 CSR 80-5.010	State Milk Board		26 MoReg 909		
2 CSR 90-21.060	Weights and Measures		25 MoReg 2788	26 MoReg 865	
2 CSR 90-40.010	Weights and Measures		This IssueR		
2 CSR 90-50.010	Weights and Measures		This IssueR		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission		26 MoReg 319	26 MoReg 866	
3 CSR 10-4.113	Conservation Commission		This Issue		
3 CSR 10-4.115	Conservation Commission		26 MoReg 319	26 MoReg 866	
			This IssueR		
3 CSR 10-4.116	Conservation Commission		26 MoReg 646	This Issue	
			This IssueR		
3 CSR 10-5.205	Conservation Commission		This Issue		
3 CSR 10-5.215	Conservation Commission		This Issue		
3 CSR 10-5.216	Conservation Commission		This Issue		
3 CSR 10-5.310	Conservation Commission		This Issue		
3 CSR 10-5.315	Conservation Commission		This Issue		
3 CSR 10-5.320	Conservation Commission		This Issue		
3 CSR 10-6.405	Conservation Commission		This Issue		
3 CSR 10-6.410	Conservation Commission		This Issue		
3 CSR 10-6.505	Conservation Commission		This Issue		
3 CSR 10-6.525	Conservation Commission		This Issue		
3 CSR 10-7.455	Conservation Commission		N.A.	This Issue	
3 CSR 10-9.575	Conservation Commission		This Issue		
3 CSR 10-9.625	Conservation Commission		This Issue		
3 CSR 10-10.744	Conservation Commission		This Issue		
3 CSR 10-11.105	Conservation Commission		This Issue		
3 CSR 10-11.110	Conservation Commission		This Issue		
3 CSR 10-11.115	Conservation Commission		This Issue		
3 CSR 10-11.120	Conservation Commission		This Issue		
3 CSR 10-11.130	Conservation Commission		This Issue		
3 CSR 10-11.135	Conservation Commission		This Issue		
3 CSR 10-11.140	Conservation Commission		This Issue		
3 CSR 10-11.145	Conservation Commission		This Issue		
3 CSR 10-11.150	Conservation Commission		This Issue		
3 CSR 10-11.155	Conservation Commission		This Issue		
3 CSR 10-11.160	Conservation Commission		This Issue		
3 CSR 10-11.165	Conservation Commission		This Issue		
3 CSR 10-11.180	Conservation Commission		This Issue		
3 CSR 10-11.182	Conservation Commission		This Issue		
3 CSR 10-11.183	Conservation Commission		This Issue		
3 CSR 10-11.186	Conservation Commission		This Issue		
3 CSR 10-11.187	Conservation Commission		This Issue		
3 CSR 10-11.200	Conservation Commission		This Issue		
3 CSR 10-11.205	Conservation Commission		This Issue		
3 CSR 10-11.210	Conservation Commission		This Issue		
3 CSR 10-11.215	Conservation Commission		This Issue		
3 CSR 10-11.805	Conservation Commission		26 MoReg 649	This Issue	
			This IssueR		
3 CSR 10-12.101	Conservation Commission		This Issue		
3 CSR 10-12.105	Conservation Commission		This Issue		
3 CSR 10-12.110	Conservation Commission		This Issue		
3 CSR 10-12.115	Conservation Commission		This Issue		
3 CSR 10-12.125	Conservation Commission		This Issue		
3 CSR 10-12.130	Conservation Commission		This Issue		
3 CSR 10-12.135	Conservation Commission		This Issue		
3 CSR 10-12.140	Conservation Commission		This Issue		
3 CSR 10-12.145	Conservation Commission		This Issue		
3 CSR 10-12.150	Conservation Commission		This Issue		
3 CSR 10-20.805	Conservation Commission		This Issue		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 30-6.015	Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 12	26 MoReg 866	
4 CSR 30-6.020	Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 17	26 MoReg 866	
4 CSR 40-1.021	Office of Athletics	21 MoReg 2680			
4 CSR 40-5.070	Office of Athletics	21 MoReg 1963			
4 CSR 60-1.025	State Board of Barber Examiners		26 MoReg 20	26 MoReg 866	
4 CSR 60-1.030	State Board of Barber Examiners		26 MoReg 22	26 MoReg 867	
4 CSR 60-4.015	State Board of Barber Examiners		26 MoReg 24	26 MoReg 867	
4 CSR 90-7.010	State Board of Cosmetology		26 MoReg 322R		
			26 MoReg 322		
4 CSR 90-8.010	State Board of Cosmetology		26 MoReg 697R		
			26 MoReg 697		
4 CSR 90-11.010	State Board of Cosmetology		26 MoReg 328		
4 CSR 90-13.010	State Board of Cosmetology		26 MoReg 24	26 MoReg 867	
4 CSR 100	Division of Credit Unions				26 MoReg 1096
					26 MoReg 1096
					This Issue
4 CSR 100-2.045	Division of Credit Unions		25 MoReg 2877	26 MoReg 817	
4 CSR 100 2.060	Division of Credit Unions		This Issue		
4 CSR 100-2.185	Division of Credit Unions		26 MoReg 174	26 MoReg 949	
4 CSR 100-2.220	Division of Credit Unions		26 MoReg 174	26 MoReg 949	
4 CSR 120-2.100	State Board of Embalmers and Funeral Directors		26 MoReg 1007		
4 CSR 140-2.070	Division of Finance		26 MoReg 328		
4 CSR 140-2.138	Division of Finance		26 MoReg 328		
4 CSR 140-6.085	Division of Finance		26 MoReg 329		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 145-1.040	Missouri Board of Geologist Registration		26 MoReg 1011		
4 CSR 150-2.050	State Board of Registration for the Healing Arts		26 MoReg 1014		
4 CSR 150-2.080	State Board of Registration for the Healing Arts		26 MoReg 1014		
4 CSR 150-2.125	State Board of Registration for the Healing Arts		26 MoReg 1020		
4 CSR 150-2.165	State Board of Registration for the Healing Arts		26 MoReg 1021		
4 CSR 150-4.060	State Board of Registration for the Healing Arts		26 MoReg 330		
4 CSR 150-8.060	State Board of Registration for the Healing Arts		26 MoReg 1023		
4 CSR 200-2.001	State Board of Nursing		26 MoReg 27	26 MoReg 867	
4 CSR 200-2.010	State Board of Nursing		26 MoReg 28	26 MoReg 867	
4 CSR 200-2.020	State Board of Nursing		26 MoReg 29	26 MoReg 868	
4 CSR 200-2.030	State Board of Nursing		26 MoReg 30	26 MoReg 868	
4 CSR 200-2.050	State Board of Nursing		26 MoReg 30	26 MoReg 868	
4 CSR 200-2.110	State Board of Nursing		26 MoReg 30	26 MoReg 868	
4 CSR 200-2.120	State Board of Nursing		26 MoReg 30	26 MoReg 868	
4 CSR 200-2.180	State Board of Nursing		26 MoReg 31	26 MoReg 869	
4 CSR 200-3.001	State Board of Nursing		26 MoReg 31	26 MoReg 869	
4 CSR 200-3.010	State Board of Nursing		26 MoReg 33	26 MoReg 869	
4 CSR 200-3.020	State Board of Nursing		26 MoReg 34	26 MoReg 869	
4 CSR 200-3.030	State Board of Nursing		26 MoReg 34	26 MoReg 869	
4 CSR 200-3.050	State Board of Nursing		26 MoReg 34	26 MoReg 869	
4 CSR 200-3.110	State Board of Nursing		26 MoReg 34	26 MoReg 870	
4 CSR 200-3.120	State Board of Nursing		26 MoReg 35	26 MoReg 870	
4 CSR 200-3.180	State Board of Nursing		26 MoReg 35	26 MoReg 870	
4 CSR 200-4.010	State Board of Nursing	26 MoReg 112	26 MoReg 175	26 MoReg 949	
4 CSR 205-4.010	Missouri Board of Occupational Therapy		26 MoReg 859		
4 CSR 205-4.020	Missouri Board of Occupational Therapy		26 MoReg 859		
4 CSR 220-2.018	State Board of Pharmacy		25 MoReg 2789	26 MoReg 958	
4 CSR 220-2.030	State Board of Pharmacy		25 MoReg 2789	26 MoReg 958	
4 CSR 220-2.032	State Board of Pharmacy		26 MoReg 698		
4 CSR 220-2.080	State Board of Pharmacy		25 MoReg 2790	26 MoReg 958	
4 CSR 220-2.085	State Board of Pharmacy		26 MoReg 1025		
4 CSR 220-2.090	State Board of Pharmacy		25 MoReg 2791	26 MoReg 958	
4 CSR 220-2.300	State Board of Pharmacy		25 MoReg 2791R	26 MoReg 959R	
			25 MoReg 2791	26 MoReg 959	
4 CSR 220-2.900	State Board of Pharmacy		25 MoReg 2792	26 MoReg 960	
4 CSR 220-4.010	State Board of Pharmacy		26 MoReg 698		
4 CSR 220-5.020	State Board of Pharmacy		25 MoReg 2795	26 MoReg 961	
			26 MoReg 1025		
4 CSR 220-5.030	State Board of Pharmacy		25 MoReg 2795	26 MoReg 961	
4 CSR 231-2.010	Division of Professional Registration		26 MoReg 699		
4 CSR 232-1.040	Missouri State Committee of Interpreters		26 MoReg 35	26 MoReg 870	
4 CSR 232-3.010	Missouri State Committee of Interpreters		26 MoReg 39	26 MoReg 870	
4 CSR 235-1.020	State Committee of Psychologists		26 MoReg 700		
4 CSR 235-2.060	State Committee of Psychologists		26 MoReg 700R		
			26 MoReg 700		
4 CSR 240-32.130	Public Service Commission		26 MoReg 330		
4 CSR 240-32.140	Public Service Commission		26 MoReg 331		
4 CSR 240-32.150	Public Service Commission		26 MoReg 331		
4 CSR 240-32.160	Public Service Commission		26 MoReg 331		
4 CSR 240-32.170	Public Service Commission		26 MoReg 332		
4 CSR 240-40.020	Public Service Commission		26 MoReg 181	26 MoReg 870	
4 CSR 240-40.030	Public Service Commission		26 MoReg 181	26 MoReg 871	
4 CSR 240-120.100	Public Service Commission		This Issue		
4 CSR 240-121.010	Public Service Commission		This Issue		
4 CSR 240-121.020	Public Service Commission		This Issue		
4 CSR 240-121.040	Public Service Commission		This Issue		
4 CSR 240-121.050	Public Service Commission		This Issue		
4 CSR 240-121.060	Public Service Commission		This Issue		
4 CSR 240-121.090	Public Service Commission		This Issue		
4 CSR 245-5.010	Real Estate Appraisers		26 MoReg 1026		
4 CSR 245-5.020	Real Estate Appraisers		26 MoReg 1026		
4 CSR 255-1.040	Missouri Board for Respiratory Care		26 MoReg 860		
4 CSR 255-2.020	Missouri Board for Respiratory Care		26 MoReg 493		
4 CSR 255-2.030	Missouri Board for Respiratory Care		26 MoReg 493		
4 CSR 255-2.050	Missouri Board for Respiratory Care		26 MoReg 494		
4 CSR 255-2.060	Missouri Board for Respiratory Care		26 MoReg 496R		
			26 MoReg 496		
4 CSR 255-4.010	Missouri Board for Respiratory Care		26 MoReg 501R		
			26 MoReg 501		
4 CSR 265-10.030	Division of Motor Carrier and Railroad Safety	26 MoReg 112	26 MoReg 203	26 MoReg 961	
4 CSR 270-1.011	Missouri Veterinary Medical Board		26 MoReg 1030		
4 CSR 270-1.021	Missouri Veterinary Medical Board		26 MoReg 1030		
4 CSR 270-1.050	Missouri Veterinary Medical Board		26 MoReg 1031R		
			26 MoReg 1031		
4 CSR 270-2.011	Missouri Veterinary Medical Board		26 MoReg 1037		
4 CSR 270-2.021	Missouri Veterinary Medical Board		26 MoReg 1037		
4 CSR 270-2.052	Missouri Veterinary Medical Board		26 MoReg 1038		
4 CSR 270-2.070	Missouri Veterinary Medical Board		26 MoReg 1038		
4 CSR 270-2.071	Missouri Veterinary Medical Board		26 MoReg 1039		
4 CSR 270-3.020	Missouri Veterinary Medical Board		26 MoReg 1039		
4 CSR 270-3.030	Missouri Veterinary Medical Board		26 MoReg 1040		
4 CSR 270-3.040	Missouri Veterinary Medical Board		26 MoReg 1040		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 270-4.042	Missouri Veterinary Medical Board	26	MoReg 1041		
4 CSR 270-4.050	Missouri Veterinary Medical Board	26	MoReg 1047		
4 CSR 270-4.060	Missouri Veterinary Medical Board	26	MoReg 1051		
4 CSR 270-5.011	Missouri Veterinary Medical Board	26	MoReg 1051		
4 CSR 270-7.020	Missouri Veterinary Medical Board	26	MoReg 1054		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-261.010	Division of School Services	25	MoReg 2632	26	MoReg 817
5 CSR 30-261.025	Division of School Services	26	MoReg 912		
5 CSR 30-345.011	Division of School Services	25	MoReg 2633	26	MoReg 817
5 CSR 50-350.040	Division of Instruction	25	MoReg 2636	26	MoReg 817
	<i>(Changed from 5 CSR 60-120.060)</i>				
5 CSR 50-378.100	Division of Instruction	25	MoReg 2633	26	MoReg 821
5 CSR 60-100.020	Vocational and Adult Education	26	MoReg 915		
5 CSR 60-120.010	Vocational and Adult Education	N.A.		26	MoReg 821
5 CSR 60-120.060	Vocational and Adult Education	25	MoReg 2636		
	<i>(Changed to 5 CSR 50-350.040)</i>				
5 CSR 60-120.080	Vocational and Adult Education	26	MoReg 209		This Issue
5 CSR 80-800.200	Teacher Quality and Urban Education	26	MoReg 918		
5 CSR 80-800.220	Teacher Quality and Urban Education	26	MoReg 918		
5 CSR 80-800.230	Teacher Quality and Urban Education	26	MoReg 919		
5 CSR 80-800.260	Teacher Quality and Urban Education	26	MoReg 919		
5 CSR 80-800.270	Teacher Quality and Urban Education	26	MoReg 922		
5 CSR 80-800.280	Teacher Quality and Urban Education	26	MoReg 922		
5 CSR 80-800.350	Teacher Quality and Urban Education	26	MoReg 923		
5 CSR 80-800.360	Teacher Quality and Urban Education	26	MoReg 925		
5 CSR 80-800.380	Teacher Quality and Urban Education	26	MoReg 926		
5 CSR 90-4.120	Vocational Rehabilitation	26	MoReg 212		This Issue
5 CSR 90-5.400	Vocational Rehabilitation	26	MoReg 212		This Issue
5 CSR 90-5.440	Vocational Rehabilitation	26	MoReg 214		This Issue
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-10.010	Highways and Transportation Commission	26	MoReg 5	26	MoReg 871
7 CSR 10-10.030	Highways and Transportation Commission	26	MoReg 6	26	MoReg 871
7 CSR 10-10.040	Highways and Transportation Commission	26	MoReg 7	26	MoReg 871
7 CSR 10-10.050	Highways and Transportation Commission	26	MoReg 8	26	MoReg 871
7 CSR 10-10.060	Highways and Transportation Commission	26	MoReg 8	26	MoReg 872
7 CSR 10-10.070	Highways and Transportation Commission	26	MoReg 9	26	MoReg 872
7 CSR 10-10.080	Highways and Transportation Commission	26	MoReg 10	26	MoReg 872
7 CSR 10-10.090	Highways and Transportation Commission	26	MoReg 11	26	MoReg 872
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-4.080	Division of Employment Security	26	MoReg 333		This Issue
8 CSR 30-3.010	Division of Labor Standards	25	MoReg 2877	26	MoReg 823
8 CSR 60-3.040	Missouri Commission on Human Rights	26	MoReg 333	26	MoReg 1093
8 CSR 70-1.010	MO Assistive Technology Advisory Council.....	26	MoReg 317	26	MoReg 1093
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-5.210	Director, Department of Mental Health	26	MoReg 705		
9 CSR 10-7.010	Director, Department of Mental Health	26	MoReg 708		
9 CSR 10-7.020	Director, Department of Mental Health	26	MoReg 710		
9 CSR 10-7.030	Director, Department of Mental Health	26	MoReg 711		
9 CSR 10-7.040	Director, Department of Mental Health	26	MoReg 714		
9 CSR 10-7.050	Director, Department of Mental Health	26	MoReg 714		
9 CSR 10-7.060	Director, Department of Mental Health	26	MoReg 715		
9 CSR 10-7.070	Director, Department of Mental Health	26	MoReg 716		
9 CSR 10-7.080	Director, Department of Mental Health	26	MoReg 717		
9 CSR 10-7.090	Director, Department of Mental Health	26	MoReg 718		
9 CSR 10-7.100	Director, Department of Mental Health	26	MoReg 719		
9 CSR 10-7.110	Director, Department of Mental Health	26	MoReg 719		
9 CSR 10-7.120	Director, Department of Mental Health	26	MoReg 720		
9 CSR 10-7.130	Director, Department of Mental Health	26	MoReg 723		
9 CSR 10-7.140	Director, Department of Mental Health	26	MoReg 725		
9 CSR 25-2.105	Fiscal Management	25	MoReg 2805	26	MoReg 823
9 CSR 25-2.305	Fiscal Management	25	MoReg 2806	26	MoReg 823
9 CSR 30-3.010	Certification Standards	26	MoReg 728R		
9 CSR 30-3.020	Certification Standards	26	MoReg 728R		
9 CSR 30-3.022	Certification Standards	26	MoReg 728		
9 CSR 30-3.030	Certification Standards	26	MoReg 729R		
9 CSR 30-3.032	Certification Standards	26	MoReg 729		
9 CSR 30-3.040	Certification Standards	26	MoReg 730R		
9 CSR 30-3.050	Certification Standards	26	MoReg 730R		
9 CSR 30-3.060	Certification Standards	26	MoReg 731R		
9 CSR 30-3.070	Certification Standards	26	MoReg 731R		
9 CSR 30-3.080	Certification Standards	26	MoReg 731R		
9 CSR 30-3.100	Certification Standards	26	MoReg 731		
9 CSR 30-3.110	Certification Standards	26	MoReg 735		
9 CSR 30-3.120	Certification Standards	26	MoReg 737		
9 CSR 30-3.130	Certification Standards	26	MoReg 739		

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9 CSR 30-3.132	Certification Standards.....		26 MoReg 750		
	(<i>Changed from 9 CSR 30-3.610</i>)				
9 CSR 30-3.134	Certification Standards.....		26 MoReg 753		
	(<i>Changed from 9 CSR 30-3.611</i>)				
9 CSR 30-3.140	Certification Standards.....		26 MoReg 741		
9 CSR 30-3.150	Certification Standards.....		26 MoReg 742		
9 CSR 30-3.160	Certification Standards.....		26 MoReg 742		
9 CSR 30-3.190	Certification Standards.....		26 MoReg 745		
9 CSR 30-3.192	Certification Standards.....		26 MoReg 746		
9 CSR 30-3.200	Certification Standards.....		26 MoReg 747R		
9 CSR 30-3.201	Certification Standards.....		26 MoReg 758		
	(<i>Changed from 9 CSR 30-3.700</i>)				
9 CSR 30-3.202	Certification Standards.....		26 MoReg 760		
	(<i>Changed from 9 CSR 30-3.730</i>)				
9 CSR 30-3.204	Certification Standards.....		26 MoReg 762		
	(<i>Changed from 9 CSR 30-3.750</i>)				
9 CSR 30-3.206	Certification Standards.....		26 MoReg 764		
	(<i>Changed from 9 CSR 30-3.760</i>)				
9 CSR 30-3.208	Certification Standards.....		26 MoReg 768		
	(<i>Changed from 9 CSR 30-3.790</i>)				
9 CSR 30-3.210	Certification Standards.....		26 MoReg 748R		
9 CSR 30-3.220	Certification Standards.....		26 MoReg 748R		
9 CSR 30-3.230	Certification Standards.....		26 MoReg 768		
	(<i>Changed from 9 CSR 30-3.800</i>)				
9 CSR 30-3.240	Certification Standards.....		26 MoReg 748R		
9 CSR 30-3.250	Certification Standards.....		26 MoReg 748R		
9 CSR 30-3.300	Certification Standards.....		26 MoReg 755		
	(<i>Changed from 9 CSR 30-3.630</i>)				
9 CSR 30-3.400	Certification Standards.....		26 MoReg 749R		
9 CSR 30-3.410	Certification Standards.....		26 MoReg 749R		
9 CSR 30-3.420	Certification Standards.....		26 MoReg 749R		
9 CSR 30-3.500	Certification Standards.....		26 MoReg 749R		
9 CSR 30-3.510	Certification Standards.....		26 MoReg 750R		
9 CSR 30-3.600	Certification Standards.....		26 MoReg 750R		
9 CSR 30-3.610	Certification Standards.....		26 MoReg 750		
	(<i>Changed to 9 CSR 30-3.132</i>)				
9 CSR 30-3.611	Certification Standards.....		26 MoReg 753		
	(<i>Changed to 9 CSR 30-3.134</i>)				
9 CSR 30-3.620	Certification Standards.....		26 MoReg 755R		
9 CSR 30-3.621	Certification Standards.....		26 MoReg 755R		
9 CSR 30-3.630	Certification Standards.....		26 MoReg 755		
	(<i>Changed to 9 CSR 30-3.300</i>)				
9 CSR 30-3.700	Certification Standards.....		26 MoReg 758		
	(<i>Changed to 9 CSR 30-3.201</i>)				
9 CSR 30-3.710	Certification Standards.....		26 MoReg 759R		
9 CSR 30-3.720	Certification Standards.....		26 MoReg 759R		
9 CSR 30-3.730	Certification Standards.....		26 MoReg 760		
	(<i>Changed to 9 CSR 30-3.202</i>)				
9 CSR 30-3.740	Certification Standards.....		26 MoReg 762R		
9 CSR 30-3.750	Certification Standards.....		26 MoReg 762		
	(<i>Changed to 9 CSR 30-3.204</i>)				
9 CSR 30-3.760	Certification Standards.....		26 MoReg 764		
	(<i>Changed to 9 CSR 30-3.206</i>)				
9 CSR 30-3.770	Certification Standards.....		26 MoReg 767R		
9 CSR 30-3.780	Certification Standards.....		26 MoReg 767R		
9 CSR 30-3.790	Certification Standards.....		26 MoReg 768		
	(<i>Changed to 9 CSR 30-3.208</i>)				
9 CSR 30-3.800	Certification Standards.....		26 MoReg 768		
	(<i>Changed to 9 CSR 30-2.230</i>)				
9 CSR 30-3.810	Certification Standards.....		26 MoReg 772R		
9 CSR 30-3.820	Certification Standards.....		26 MoReg 772R		
9 CSR 30-3.830	Certification Standards.....		26 MoReg 772R		
9 CSR 30-3.840	Certification Standards.....		26 MoReg 773R		
9 CSR 30-3.850	Certification Standards.....		26 MoReg 773R		
9 CSR 30-3.851	Certification Standards.....		26 MoReg 773R		
9 CSR 30-3.852	Certification Standards.....		26 MoReg 774R		
9 CSR 30-3.853	Certification Standards.....		26 MoReg 774R		
9 CSR 30-3.860	Certification Standards.....		26 MoReg 774R		
9 CSR 30-3.870	Certification Standards.....		26 MoReg 774R		
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9 CSR 30-3.890	Certification Standards.....		26 MoReg 775R		
9 CSR 30-3.900	Certification Standards.....		26 MoReg 775R		
9 CSR 30-3.910	Certification Standards.....		26 MoReg 775R		
9 CSR 30-3.920	Certification Standards.....		26 MoReg 776R		
9 CSR 30-3.930	Certification Standards.....		26 MoReg 776R		
9 CSR 30-3.940	Certification Standards.....		26 MoReg 776R		
9 CSR 30-3.950	Certification Standards.....		26 MoReg 776R		
9 CSR 30-3.960	Certification Standards.....		26 MoReg 777R		
9 CSR 30-3.970	Certification Standards.....		26 MoReg 777R		
9 CSR 30-4.010	Certification Standards.....		26 MoReg 777		
9 CSR 30-4.020	Certification Standards.....		26 MoReg 778		
9 CSR 30-4.030	Certification Standards.....		26 MoReg 780		
9 CSR 30-4.031	Certification Standards.....		26 MoReg 781		

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9 CSR 30-4.032	Certification Standards.....		26 MoReg 783		
9 CSR 30-4.033	Certification Standards.....		26 MoReg 784		
9 CSR 30-4.034	Certification Standards.....		26 MoReg 785		
9 CSR 30-4.035	Certification Standards.....		26 MoReg 787		
9 CSR 30-4.036	Certification Standards.....		26 MoReg 789R		
9 CSR 30-4.037	Certification Standards.....		26 MoReg 790R		
9 CSR 30-4.038	Certification Standards.....		26 MoReg 790		
9 CSR 30-4.039	Certification Standards.....		26 MoReg 791		
9 CSR 30-4.040	Certification Standards.....		26 MoReg 791		
9 CSR 30-4.041	Certification Standards.....		26 MoReg 792		
9 CSR 30-4.043	Certification Standards.....		26 MoReg 793		
9 CSR 30-4.044	Certification Standards.....		26 MoReg 795R		
9 CSR 30-4.100	Certification Standards.....		26 MoReg 795R		
9 CSR 30-4.110	Certification Standards.....		26 MoReg 795R		
9 CSR 30-4.120	Certification Standards.....		26 MoReg 796R		
9 CSR 30-4.130	Certification Standards.....		26 MoReg 796R		
9 CSR 30-4.140	Certification Standards.....		26 MoReg 796R		
9 CSR 30-4.150	Certification Standards.....		26 MoReg 796R		
9 CSR 30-4.160	Certification Standards.....		26 MoReg 797		
9 CSR 30-4.170	Certification Standards.....		26 MoReg 798R		
9 CSR 30-4.180	Certification Standards.....		26 MoReg 798R		
9 CSR 30-4.190	Certification Standards.....		26 MoReg 798		
9 CSR 45-3.070	Division of Mental Retardation and Developmental Disabilities		26 MoReg 335		
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10 CSR 10-2.210	Air Conservation Commission.....		26 MoReg 507		
10 CSR 10-2.215	Air Conservation Commission.....		25 MoReg 2408	26 MoReg 872	
10 CSR 10-2.260	Air Conservation Commission.....		26 MoReg 47		
10 CSR 10-2.330	Air Conservation Commission.....		25 MoReg 2640	26 MoReg 876	
10 CSR 10-6.040	Air Conservation Commission.....		25 MoReg 2716		
10 CSR 10-6.200	Air Conservation Commission.....		25 MoReg 2717		
10 CSR 10-6.400	Air Conservation Commission.....		26 MoReg 344		
10 CSR 20-4.023	Clean Water Commission.....		26 MoReg 860		
10 CSR 20-4.043	Clean Water Commission.....		26 MoReg 861		
10 CSR 20-6.011	Clean Water Commission.....		25 MoReg 2878		
10 CSR 20-6.060	Clean Water Commission.....		25 MoReg 2880		
10 CSR 20-14.010	Clean Water Commission.....		25 MoReg 2881		
10 CSR 20-14.020	Clean Water Commission.....		25 MoReg 2883		
10 CSR 20-14.030	Clean Water Commission.....		25 MoReg 2885		
10 CSR 23-3.100	Division of Geology and Land Survey		This Issue		
10 CSR 25	Hazardous Waste Management Commission				25 MoReg 2597RUC
10 CSR 25-1.010	Hazardous Waste Management Commission		26 MoReg 518		
10 CSR 25-3.260	Hazardous Waste Management Commission		26 MoReg 518		
10 CSR 25-4.261	Hazardous Waste Management Commission		26 MoReg 521		
10 CSR 25-5.262	Hazardous Waste Management Commission		26 MoReg 523		
10 CSR 25-7.264	Hazardous Waste Management Commission		26 MoReg 530		
10 CSR 25-7.265	Hazardous Waste Management Commission		26 MoReg 531		
10 CSR 25-7.266	Hazardous Waste Management Commission		26 MoReg 532		
10 CSR 25-7.268	Hazardous Waste Management Commission		26 MoReg 533		
10 CSR 25-7.270	Hazardous Waste Management Commission		26 MoReg 535		
10 CSR 25-8.124	Hazardous Waste Management Commission		26 MoReg 538		
10 CSR 25-9.020	Hazardous Waste Management Commission		26 MoReg 541		
10 CSR 25-10.010	Hazardous Waste Management Commission		26 MoReg 545		
10 CSR 25-11.279	Hazardous Waste Management Commission		26 MoReg 547		
10 CSR 25-12.010	Hazardous Waste Management Commission		26 MoReg 548		25 MoReg 2253
10 CSR 25-13.010	Hazardous Waste Management Commission		26 MoReg 554		
10 CSR 25-15.010	Hazardous Waste Management Commission		26 MoReg 559		
10 CSR 25-16.273	Hazardous Waste Management Commission		26 MoReg 560		
10 CSR 60-13.010	Public Drinking Water Program.....		26 MoReg 563		
10 CSR 60-13.020	Public Drinking Water Program.....		26 MoReg 569		
10 CSR 60-13.025	Public Drinking Water Program.....		26 MoReg 571		
10 CSR 60-14.010	Public Drinking Water Program.....	26 MoReg 387	25 MoReg 2886	This Issue	
10 CSR 60-14.020	Public Drinking Water Program.....	26 MoReg 388	25 MoReg 2889	This Issue	
10 CSR 60-14.030	Public Drinking Water Program.....		25 MoReg 2899	This Issue	
10 CSR 90-2.010	Parks, Recreation and Historic Preservation		25 MoReg 2806R	26 MoReg 961R	
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10 CSR 90-2.030	Parks, Recreation and Historic Preservation		25 MoReg 2815R	26 MoReg 962R	
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10 CSR 90-2.040	State Parks		25 MoReg 2820	26 MoReg 963	
10 CSR 90-2.050	Parks, Recreation and Historic Preservation		25 MoReg 2821R	26 MoReg 963R	
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10 CSR 90-2.060	Parks, Recreation and Historic Preservation		25 MoReg 2822R	26 MoReg 963R	
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10 CSR 90-2.070	State Parks		25 MoReg 2824	26 MoReg 964	
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11 CSR 30-2.010	Office of the Director		26 MoReg 861		
11 CSR 40-5.065	Division of Fire Safety	This Issue	This Issue		
11 CSR 40-6.060	Division of Fire Safety	26 MoReg 857			
11 CSR 45-5.030	Missouri Gaming Commission		26 MoReg 799		

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11 CSR 45-5.065	Missouri Gaming Commission		26 MoReg 345		
11 CSR 45-5.100	Missouri Gaming Commission		26 MoReg 1054		
11 CSR 45-5.237	Missouri Gaming Commission		26 MoReg 1054		
11 CSR 45-7.030	Missouri Gaming Commission		26 MoReg 799		
11 CSR 45-7.040	Missouri Gaming Commission		26 MoReg 802		
11 CSR 45-7.050	Missouri Gaming Commission		26 MoReg 804		
11 CSR 45-7.080	Missouri Gaming Commission		26 MoReg 806		
11 CSR 45-7.130	Missouri Gaming Commission		26 MoReg 806		
11 CSR 45-7.150	Missouri Gaming Commission		26 MoReg 806		
11 CSR 45-12.090	Missouri Gaming Commission		26 MoReg 1055		
11 CSR 45-12.091	Missouri Gaming Commission		26 MoReg 1057		
11 CSR 45-17.015	Missouri Gaming Commission		25 MoReg 2719	26 MoReg 823	
11 CSR 45-30.600	Missouri Gaming Commission		25 MoReg 2719	26 MoReg 968	
11 CSR 45-31.005	Missouri Gaming Commission		25 MoReg 2722	26 MoReg 823	

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12 CSR	Construction Transient Employers				26 MoReg 600 This Issue
12 CSR 10-3.020	Director of Revenue		26 MoReg 928R		
12 CSR 10-3.022	Director of Revenue		26 MoReg 928R		
12 CSR 10-3.023	Director of Revenue		26 MoReg 928R		
12 CSR 10-3.024	Director of Revenue		26 MoReg 928R		
12 CSR 10-3.060	Director of Revenue		26 MoReg 929R		
12 CSR 10-3.066	Director of Revenue		26 MoReg 929R		
12 CSR 10-3.076	Director of Revenue		26 MoReg 929R		
12 CSR 10-3.086	Director of Revenue		26 MoReg 929R		
12 CSR 10-3.092	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.094	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.096	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.100	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.122	Director of Revenue		26 MoReg 930R		
12 CSR 10-3.128	Director of Revenue		26 MoReg 931R		
12 CSR 10-3.136	Director of Revenue		26 MoReg 931R		
12 CSR 10-3.138	Director of Revenue		26 MoReg 931R		
12 CSR 10-3.160	Director of Revenue		26 MoReg 931R		
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12 CSR 10-3.167	Director of Revenue		25 MoReg 2902R	26 MoReg 823R	
12 CSR 10-3.174	Director of Revenue		26 MoReg 932R		
12 CSR 10-3.200	Director of Revenue		26 MoReg 932R		
12 CSR 10-3.202	Director of Revenue		26 MoReg 932R		
12 CSR 10-3.206	Director of Revenue		26 MoReg 933R		
12 CSR 10-3.208	Director of Revenue		26 MoReg 933R		
12 CSR 10-3.244	Director of Revenue		26 MoReg 933R		
12 CSR 10-3.280	Director of Revenue		26 MoReg 1060R		
12 CSR 10-3.452	Director of Revenue		26 MoReg 933R		
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12 CSR 10-3.464	Director of Revenue		26 MoReg 934R		
12 CSR 10-3.494	Director of Revenue		26 MoReg 935R		
12 CSR 10-3.524	Director of Revenue		25 MoReg 2902R	26 MoReg 824R	
12 CSR 10-3.588	Director of Revenue		25 MoReg 2902R	26 MoReg 824R	
12 CSR 10-3.882	Director of Revenue		26 MoReg 1060R		
12 CSR 10-3.890	Director of Revenue		26 MoReg 935R		
12 CSR 10-4.165	Director of Revenue		25 MoReg 2902R	26 MoReg 824R	
12 CSR 10-4.270	Director of Revenue		26 MoReg 935R		
12 CSR 10-5.005	Director of Revenue		26 MoReg 935R		
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12 CSR 10-103.250	Director of Revenue		25 MoReg 2903	26 MoReg 824	
12 CSR 10-103.370	Director of Revenue		26 MoReg 581		
12 CSR 10-110.300	Director of Revenue		26 MoReg 582		
12 CSR 30-3.075	State Tax Commission		25 MoReg 2827	26 MoReg 970	

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13 CSR 15-4.010	Division of Aging		26 MoReg 807		
13 CSR 15-4.050	Division of Aging		26 MoReg 406	This Issue	
13 CSR 15-9.010	Division of Aging		26 MoReg 53	This Issue	
13 CSR 15-15.045	Division of Aging	26 MoReg 118	26 MoReg 214	26 MoReg 970	
13 CSR 30-2.010	Child Support Enforcement		26 MoReg 1060		
13 CSR 30-5.010	Child Support Enforcement		25 MoReg 2904R	26 MoReg 876R	
13 CSR 30-10.010	Child Support Enforcement		This Issue		
13 CSR 30-10.020	Child Support Enforcement		This Issue		
13 CSR 40-31.050	Division of Family Services	26 MoReg 126R	26 MoReg 226R	26 MoReg 1094R	
13 CSR 40-32.020	Division of Family Services	26 MoReg 126	26 MoReg 226	26 MoReg 1094	
13 CSR 45-2.010	Division of Legal Services	26 MoReg 129	26 MoReg 228	26 MoReg 1094	
13 CSR 70-4.090	Medical Services		26 MoReg 936		

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13 CSR 70-10.030	Medical Services		26 MoReg 650		
13 CSR 70-10.150	Medical Services	25 MoReg 2869	25 MoReg 2904	26 MoReg 876	
13 CSR 70-15.010	Medical Services	26 MoReg 903	26 MoReg 940		
13 CSR 70-15.150	Medical Services	26 MoReg 904	26 MoReg 940		
13 CSR 70-20.045	Medical Services	25 MoReg 2871	25 MoReg 1978	26 MoReg 70	
			26 MoReg 246	26 MoReg 1094	
13 CSR 70-20.050	Medical Services		26 MoReg 246		
13 CSR 70-20.070	Medical Services		26 MoReg 246	26 MoReg 1094	
13 CSR 70-91.010	Medical Services		26 MoReg 249	26 MoReg 1095	
13 CSR 73-2.020	Missouri Board of Nursing Home Administrators		This Issue		
13 CSR 73-2.041	Missouri Board of Nursing Home Administrators		This IssueR		
13 CSR 73-2.051	Missouri Board of Nursing Home Administrators	25 MoReg 2828	26 MoReg 824		
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15 CSR 60-3.030	Attorney General		26 MoReg 809		
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15 CSR 60-3.110	Attorney General		26 MoReg 810		
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16 CSR 10-5.030	The Public School Retirement System of Missouri		26 MoReg 250	26 MoReg 972	
16 CSR 10-6.045	The Public School Retirement System of Missouri		25 MoReg 2832	26 MoReg 825	
16 CSR 10-6.090	The Public School Retirement System of Missouri		26 MoReg 250	26 MoReg 972	
16 CSR 50-2.030	The County Employees' Retirement Fund		This Issue		
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19 CSR 10-4.030	Office of the Director	26 MoReg 857	26 MoReg 862		
19 CSR 10-33.010	Office of the Director	26 MoReg 689	26 MoReg 1061		
19 CSR 10-33.020	Office of the Director		26 MoReg 1081		
19 CSR 10-33.030	Office of the Director		26 MoReg 1087		
19 CSR 20-28.040	Division of Environmental Health and Communicable Disease Prevention		26 MoReg 413		
19 CSR 25-30.011	Division of Administration	This Issue	This Issue		
19 CSR 25-30.050	Division of Administration	This Issue	This Issue		
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19 CSR 30-80.040	Division of Health Standards and Licensure	25 MoReg 2631	26 MoReg 948		
19 CSR 60-50.420	Missouri Health Facilities Review			26 MoReg 826	
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20 CSR	Medical Malpractice			25 MoReg 597	
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20 CSR 10-1.020	General Administration		26 MoReg 251	This Issue	
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20 CSR 200-1.110	Financial Examination		26 MoReg 253	This Issue	
20 CSR 200-1.140	Financial Examination		26 MoReg 253	This Issue	
20 CSR 400-1.100	Life, Annuities and Health		26 MoReg 811		
20 CSR 500-10.200	Property and Casualty		26 MoReg 256	This Issue	

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22 CSR 10-2.010	Health Care Plan	26 MoReg 149R	26 MoReg 256R	26 MoReg 972R	
		26 MoReg 149	26 MoReg 257	26 MoReg 972	
22 CSR 10-2.020	Health Care Plan	26 MoReg 151R	26 MoReg 259R	26 MoReg 972R	
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22 CSR 10-2.040	Health Care Plan	26 MoReg 155R	26 MoReg 262R	26 MoReg 973R	
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22 CSR 10-2.045	Health Care Plan	26 MoReg 157	26 MoReg 264	26 MoReg 973	
22 CSR 10-2.050	Health Care Plan	26 MoReg 158R	26 MoReg 265R	26 MoReg 973R	
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22 CSR 10-2.055	Health Care Plan	26 MoReg 160	26 MoReg 267	26 MoReg 974	
22 CSR 10-2.060	Health Care Plan	26 MoReg 161R	26 MoReg 268R	26 MoReg 974R	
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22 CSR 10-2.063	Health Care Plan	26 MoReg 164R	26 MoReg 271R	26 MoReg 974R	
		26 MoReg 164	26 MoReg 271	26 MoReg 974	
22 CSR 10-2.064	Health Care Plan	26 MoReg 165	26 MoReg 272	26 MoReg 974	
22 CSR 10-2.065	Health Care Plan	26 MoReg 166	26 MoReg 273	26 MoReg 975	
22 CSR 10-2.067	Health Care Plan	26 MoReg 168R	26 MoReg 274R	26 MoReg 975R	
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22 CSR 10-2.075	Health Care Plan	26 MoReg 171R	26 MoReg 277R	26 MoReg 975R	
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22 CSR 10-2.080	Health Care Plan	26 MoReg 172R	26 MoReg 279R	26 MoReg 976R	
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Emergency Rules in Effect as of June 1, 2001**Expires****Office of Administration****Commissioner of Administration**

1 CSR 10-15.010 Cafeteria Plan June 29, 2001

Department of Economic Development**State Board of Nursing**

4 CSR 200-4.010 Fees June 29, 2001

Division of Motor Carrier and Railroad Safety

4 CSR 265-10.030 Insurance June 30, 2001

Department of Transportation**Missouri Highways and Transportation Commission**

7 CSR 10-10.010 Definitions June 29, 2001

7 CSR 10-10.030 Rating Categories for Evaluating the Performance of a Contractor June 29, 2001

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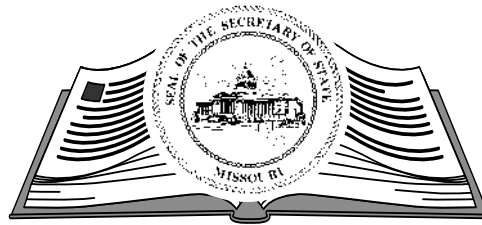
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